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TRUE WEST

June, 1962

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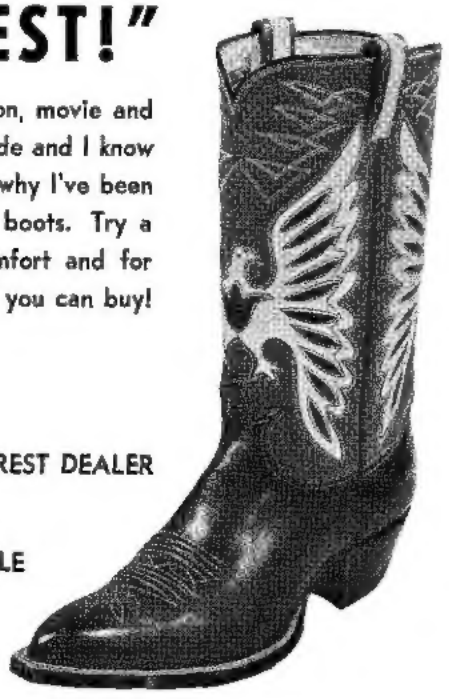

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May-June, 1962
Volume 9, No. 5
Whole No. 51

True West

All True—All Fact—Stories of the Real West

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"The files of TRUE WEST and FRONTIER TIMES are going to be of great historical value and should be preserved in all the libraries of the country."—Walter Prescott Webb, former President, American Historical Association.

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Cover: Joe Grandee

A "SMALL" PUBLICATION

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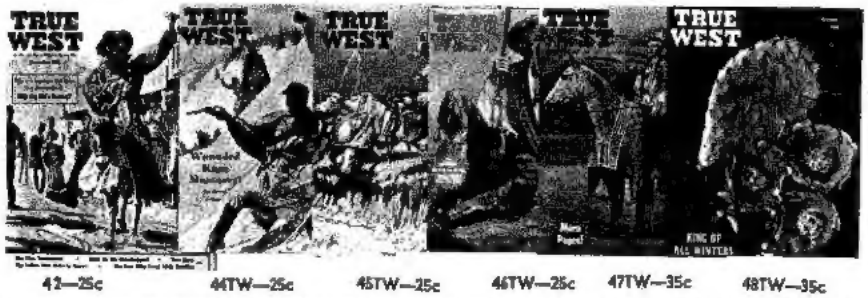

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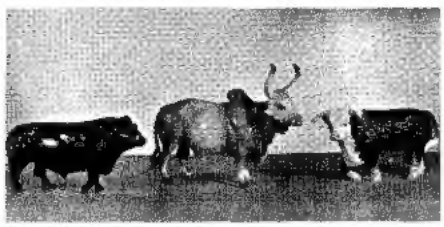

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Truly Western

Be Sure the Kid You Send Is Big Enough

Editor's Note: Although we have no desire to renew the liquor advertising fuss that went a-rampaging through our magazines over a year ago (that decision has been made, and stands), we couldn't resist publishing this letter from a reader in the Canary Islands. It portrays a part of the world that somehow reminds us of the days when the West was young.

Winchester Repeating Sporting Rifle, Model '92. Caliber, 32-20, 38-40, 44-40, 25-20.
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Winchester Model '94 Carbine.
The Winchester Repeating Sporting Rifle. Model 1892. "Take Down."
32-40, 38-55 Caliber. The Winchester Repeating Sporting Rifles 1894.
30-30 and 25-35 Caliber.

Thanks to the courtesy of Montgomery Ward and Company, we were able to show you readers this excerpt from their 1900 catalogue.

Dear Joe:—

In this country I'm living in now, nobody pays any attention to whether a magazine carries liquor ads or not. They figure that is the business of the publisher. They also feel sure they bring their children up with enough good sense, character and will power not to be led astray by the mere sight of a liquor ad whether they see it in their home or on the street. The parents have time to teach them things like that here because we don't have TV, thanks be to God.

Probably all Spaniards drink but drinking here doesn't mean getting drunk. These are no liquor stores here but every grocery store sells all kinds of liquor right along with the other household necessities. They don't have to have a license to sell it (they don't have to have a license to sell potatoes, flour or sugar, either). It doesn't make any difference how old you are if you want to buy liquor or cigarettes.

I can send any kid after whiskey, and I do. Of course, I do try to use a little discretion; if I have to send a three-year-old I don't ask him, or her, to bring more than half-a-pint. For a fifth, I try to send a six-year-old and for a quart or a jug, I try to send a kid at least eight years old. You just have to be sure the kid is big enough to lug it home.

A friend and I were in a wineshop one evening when a little boy came in with a bottle to get a quart of wine for his papa's supper. He could just reach up to the top of the bar. He paid for the wine but in trying to get the bottle, he dropped it and there went papa's wine all over the floor! The bartender was a kid fifteen years old and he didn't think he should give away any of the boss' wine just because somebody had sent the wrong-sized kid. The kid was on a spot—and the spot was all covered with wine but no good for papa's supper.

My friend, Kelly, an English writer, told the boy behind the bar to give the little kid another quart and he would pay for it. A quart of wine costs around twenty cents, and twenty cents didn't mean a thing to either Kelly or me (on account of the mellow condition we were in). So you see, it's like I said, be sure the kid you send is big enough.

If you would like to get all of us old-timers crying in our beer here's how you can do it: publish the gun section of Montgomery Ward's catalog from about the year 1895. I was about ten years old then and I remember the very first thing we did when the new catalog came was to inspect the gun section very thoroughly, carefully and repeatedly, you might also say continuously. I doubt if I was the only ten-year-old boy who used to study the gun section and long for some certain gun in it—or maybe all of them. A rehash of one of those old gun sections would sure enough be authentic Old West, with prices which would be interesting also and might cause another teardrop in the beer.—F. R. Daly, Calle A, Vista Bella, La Cuesta, Santa Cruz de Tenerife, Canary Islands, Spain.

Editor's Note: This sounded like a good idea. The people at Montgomery Ward also thought so and kindly sent us a

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reproduction of the section in question. Although we don't have space in this issue to republish the whole thing, we thought you-all might get a kick out of seeing the excerpt here.

What Do I Do?

Howdy,

When the railroad that spread itself across the great Southwest was still in its infancy, many of its employees were drawn from the rugged territory the trains passed through. One such person, a cowhand, filled the position of brakeman. He was a sturdy lad who had, like most Westerners, lived most of his life relying on his own wits. The railroad people tried hard to convince him not to think for himself. He was told to perform only his own duties, and to contact the front office if anything unusual arose.

Two weeks later the railroad headquarters received this telegram from him:

"GRIZZLY BEAR IN CABOOSE STOP EATING CONDUCTOR STOP PLEASE WIRE INSTRUCTIONS"—Vic Stephan, 3933 North Woodstock Street, Arlington 7, Virginia.

Pickett in Phoenix

Dear Sir—

My brother-in-law handed me the July-August, 1961, issue of TRUE WEST recently, having remembered a photo I had in my possession.

I was in Arizona from February through May of 1905 working as an engineer in the Reclamation Service making a canal survey on the Verde River. While there I had occasion to go to Phoenix on business and attended a so-called "rodeo." I snapped this picture of Bill Pickett in action, one of several I took at the performance. Your story on Bill Pickett suggested you might be interested. I think you should send this to Milt Hinkle, who no doubt would treasure it.—C. M. Davis, 2055 Ward Parkway, Fort Worth 4, Texas.

Editor's Note: We join Milt in extending reader Davis a sincere thank you. When we started working on the Pickett story a year ago, we were told that only one photograph had ever been taken of the famous Negro bulldogger, the one that appeared with the "Fabulous 101" article in the October, 1960, TRUE WEST. Then the old-timers began coming through for us and here we are again! TRUE WEST and FRONTIER TIMES must have the best, nicest, most-cooperative doggoned bunch of readers in the world!

Hermit of the Salmon River

Dear Joe,

I used to mine and prospect all through Idaho. I want to tell you about a character who lived on the River of No Return.

His name was Parrott and he was a hermit. He lived on Nugget Creek on the Middle Fork of the Salmon. He had gone up into that country as a young man (his nearest neighbor then was fifty miles away) and stayed up in hills so rough a burro could hardly navigate them.

He came out once a year for .30-30 shells, a bag of salt and an old auto tire, which he used to make soles for his shoes. No one ever talked to him until Dr. Russell Frazer, chief of the Utah Copper Company at Bingham, Utah, and a Dr. Broaddus made a trip by boat down the Middle Fork. The hermit lived high on a cliff; to reach his place, Frazer and Broaddus had to climb a wooden ladder about 125 feet straight up. At the top was Parrott's cabin, beside it a garden fenced in to keep out deer.

The cabin was open. No one was inside, but one of the party happened to look up and saw Parrott sitting on a limb of a big tree with a .30-30 across his knees.

He was skeptical of people, but they induced him to come down and talked to him—even got him to come down to their boat for supper.

A man named Jim Reed and I were three miles below Nugget Creek at the time but we did not know the party was coming down the river in a boat. We had hiked fourteen miles in from the main river. We were out of food and shoes so we hiked out again.

After the trip, Dr. Frazer printed an article in a Portland, Oregon, paper

(Continued on page 71)

G. M. Davis' photo of Bill Pickett at Phoenix, March, 1905.

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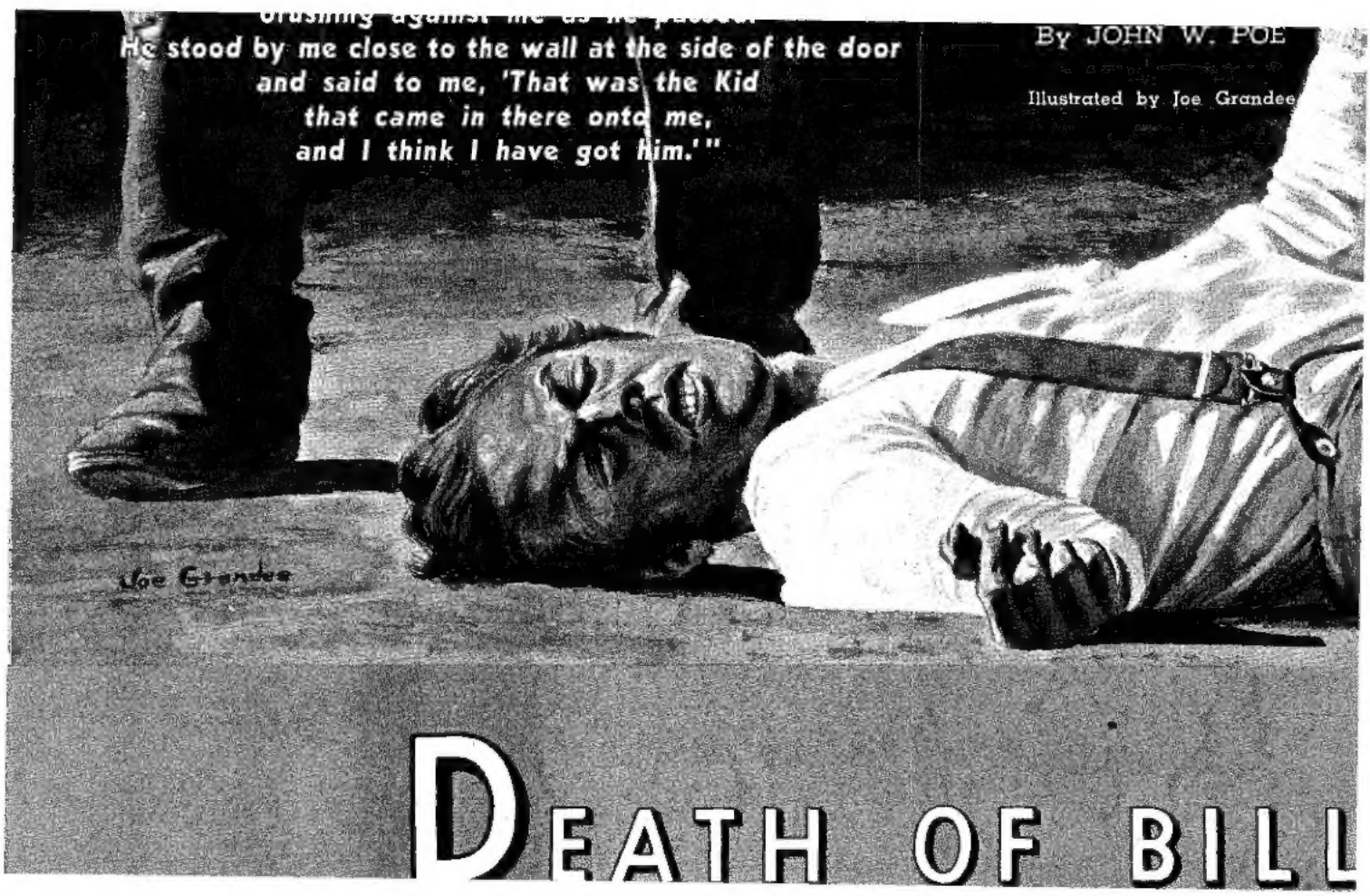
He stood by me close to the wall at the side of the door
and said to me, 'That was the Kid
that came in there onto me,
and I think I have got him.'"
Joe Grandee

DEATH OF BILL

By JOHN W. POE

Illustrated by Joe Grandee

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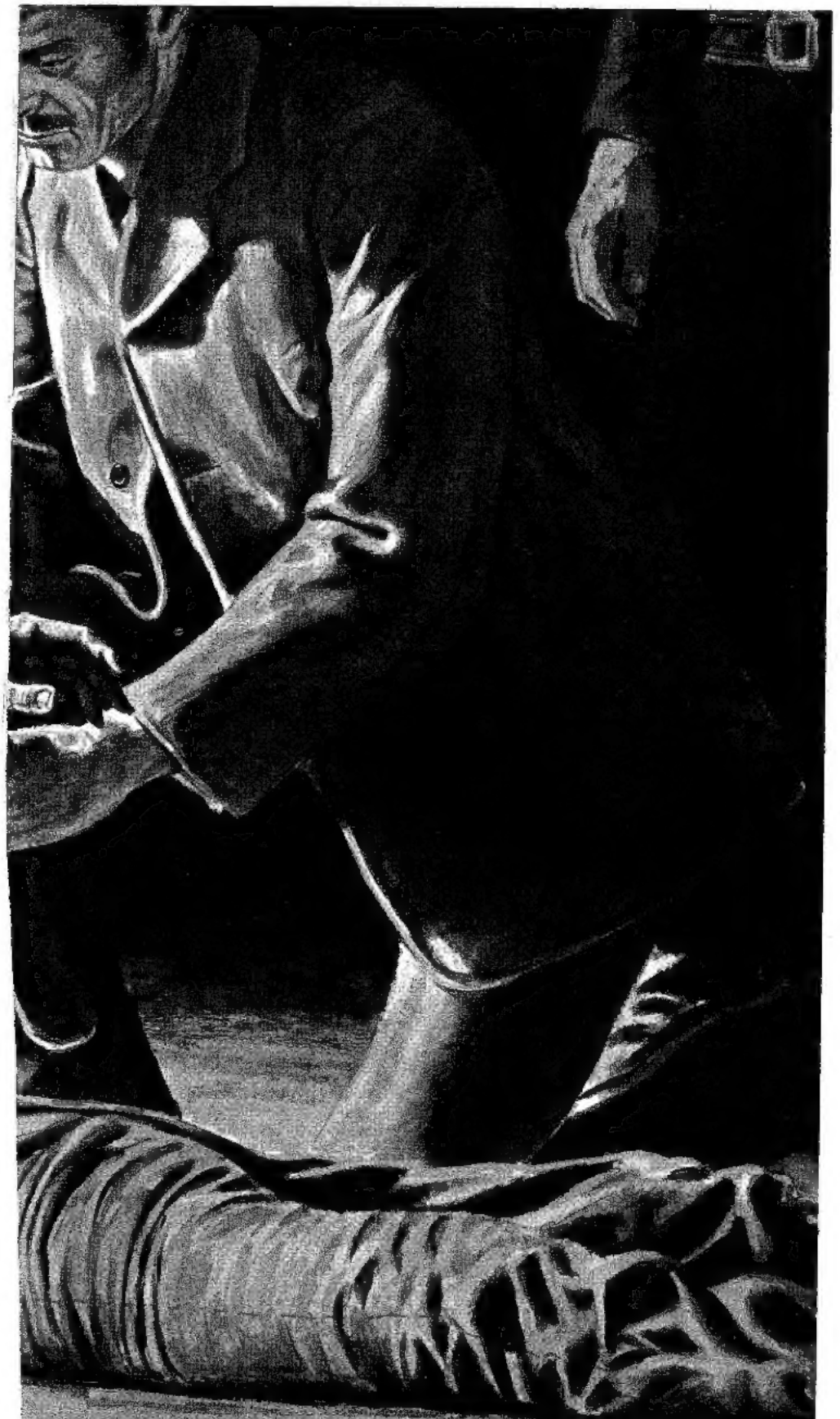

THE KID

Ed Bartholomew Photos

Marriage records from
THE NEW MEXICO TERRITORIAN

Courtesy
Reverend Robert Boshen,
Rector,
First Presbyterian Church
Santa Fe, New Mexico

Editor's Note: Billy the Kid has long inspired writers of Western fact (and fiction); his life and deeds—especially his death—interest a larger reading public than any other character of old western history. The account of his death has been so often distorted in the past few years that we think it's time to bring back a first-hand report by John W. Poe, one of the deputies who was present at the shooting.

Written in 1919, the account was published by Houghton Mifflin Company in 1933, complete with a comprehensive introduction by Maurice Garland Fulton, who resided in Lincoln County and became one of the foremost experts on the controversial Kid. The introduction itself is a full-length article (and probably the longest introductory note ever to appear in any magazine) but after reading it, we felt the valuable and enlightening information it contains and the way it sets the stage for the article itself helps present the complete picture of the Kid's death and events leading up to it. An authority on rare books tells us that the first edition of this one is very scarce and would be priced at $25 to $35, if available.

As an added bonus, we have included in this issue the story of the Maxwell Land Grant (page 26). Pete Maxwell, who figures prominently in the following article, was the son of Lucien, the founder of the famous Maxwell Empire. We feel it apropos to present their story in conjunction with this feature.

The spot where Billy breathed his last has a past fully as exciting and ill-starred as the Kid himself. There is some speculation about where the final showdown would have occurred if Lucien Maxwell had still been alive—we give odds that it wouldn't have been on the premises of the Emperor of the Cimarron!

IN A straightforward, plain and matter-of-fact style that adds sincerity to the recital, the late John W. Poe has recorded fully the circumstances of the death of Billy the Kid. His knowledge was first-hand, for he was one of the posse of three who, in the midsummer of 1881, very unexpectedly gave New Mexico and the Texas Panhandle everlasting riddance from that young scapegrace.

Though the account was not written until nearly thirty-five years later, Mr. Poe's undimmed memory and love of exact statement make the narrative fully as trustworthy as if written immediately after the event.

To one like myself, who saw Mr. Poe in the tranquillity of 1922-23, the last year of his somewhat more than threescore and ten, there was little to suggest how largely the earlier half of his life had been filled with frontier hardships and dangers.

The large, broad-shouldered physique, together with an impressive gravity of demeanor, betokened that the man sitting at the president's desk of the Citizens' National Bank of Roswell, New Mexico, was a person of consequence, of great courage and determination, but did not give the passer-by an inkling of the roles he had played in ushering in law and order upon the raw and raucous southwestern frontier.

At the urge of an adventurous spirit, Mr. Poe had left his boyhood home on a Kentucky farm at seventeen and "gone West." By the spring of 1871 he had penetrated into Kansas and was at the end of the Santa Fe Railroad, then

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slightly below Emporia, making a livelihood as a member of a construction crew. In 1872, he was a step farther into the unsettled parts, cutting timber and cross-ties on the Red River in Texas and the Indian Territory. In the spring of 1872, he pulled up stakes and traveled horseback 250 miles farther west to Fort Griffin.

There he handled a large wood contract for the garrison, but when this was completed, he became one of the crowd of buffalo hunters who were swarming over the plains of west Texas. In the four years (1874-1878) spent on the buffalo range, Mr. Poe made a reputation as one of the most successful hunters. His estimate that he had killed in the neighborhood of 20,000 buffaloes with his own Sharps suggests both his skill and the lucrativeness of the business.

When buffalo hunting ceased to be profitable, Mr. Poe entered upon several years of service as a law enforcement officer by accepting appointment as town marshal for Fort Griffin. In this capacity he served but one year—long enough to show his remarkable qualifications. He held a tight rein on that very tough town without killing a single person. Such a record won him higher recognition in 1879 when he became a deputy United States marshal.

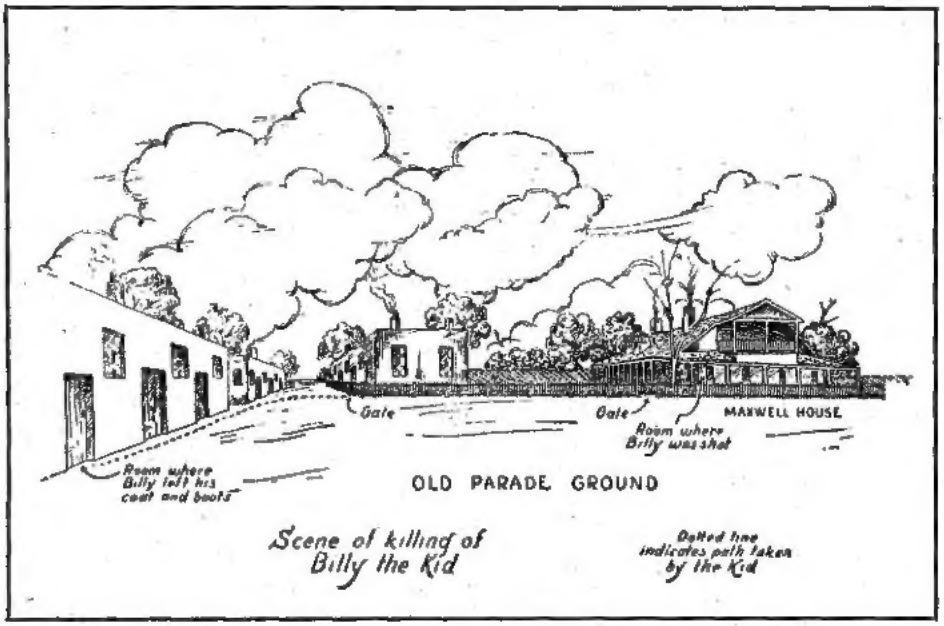
He was stationed at Fort Elliott in the northeast corner of the Texas Panhandle. Cattle-stealing was rampant, but Mr. Poe curbed it so markedly that the Canadian River Cattlemen's Association selected him to look especially after their interests. How this employment led to a special mission into New Mexico, Mr. Poe relates at the beginning of his story.

It will clarify matters somewhat, however, if we understand how Billy the Kid, the particular thorn in the flesh of the Panhandle cattlemen, had developed. The limits of an introduction forbid a full-length account of William Bonney, alias Kid, alias William Antrim (to give the equipment of names under which he usually appears in legal documents) who has nowadays become simply Billy the Kid.

We cannot take space even to divest the first stages of his career of the legendizing that unquestionably envelops them; nor can we chronicle his part in the feud known as the Lincoln County War. Suffice it to say that when those disorders almost ceased in the summer of 1878, he had taken a prominent part in all the fighting and emerged with a reputation for coolness and shooting skill that was remarkable for one just out of his teens.

But the hand of the law was clutching at him with two indictments—one for the killing of Sheriff William Brady, the other for the killing of his deputy, George Hindman, an outrageous deed which Billy the Kid and five or six others of his clique had accomplished on April 1, 1878.

THE DEFEATED remnant of the McSween faction, including Billy the Kid, withdrew to Fort Sumner, about ninety miles northeast of Lincoln. This old army establishment was now shorn of the prestige it had possessed ten years before, when the Bosque Redondo experiment was in progress seeking to impound and civilize the several thousand Navajos and Mescalero Apaches on the large reservation established on the Rio Pecos.

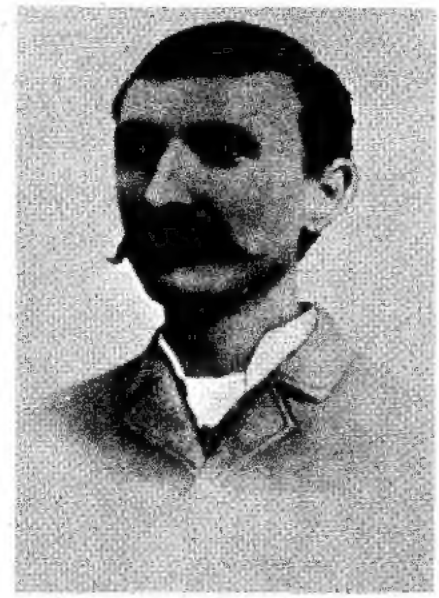

Gate
Gate
MAXWELL HOUSE
Room where Billy was shot
Room where Billy left his coat and boots
OLD PARADE GROUND
Scene of killing of Billy the Kid
Dotted line indicates path taken by the Kid

Sketch of the area where the shooting took place.

The remains of the fort, including several square miles of land and a collection of buildings originally built by the United States Government for officers' quarters, barracks, storehouses, stables and outhouses, had been purchased by Lucien B. Maxwell, of Maxwell Land Grant fame, who, after the loss of his vast estate on the Cimarron, had moved into the southern part of the Territory in an effort to recoup his fortune.

In the course of time, Lucien B. Maxwell had been gathered to his fathers, but his son Pedro, more commonly called Pete, had succeeded to the headship of the family and the management of the sheep and cattle interests.

During the sojourn at Fort Sumner, Billy the Kid came into friendship with the Maxwells. The family seems to have been largely feminine and Billy the Kid's personality and career had elements which made him attractive to that sex. Mrs. Maxwell, her daughters, and even the old Navajo servant-woman, Dulivena,



Pat Garrett

grew attached to him and welcomed his presence whenever he was near Fort Sumner.

It is still a moot question whether there developed between the young outlaw and one of the Maxwell daughters any more lively degree of interest than friendly acquaintance, but the present writer discounts heavily the echoes of the old gossip that may still be found in print.

During the late summer and early fall of 1878, Lincoln County was in perhaps a worse state than when the Lincoln County War was in active progress. Instead of simply two warring factions, several bands of outlaws were roaming at will and harrying the land and its inhabitants. During all this pell-mell havoc and confusion, Billy the Kid began to emerge more and more as what, in present day parlance, would be called a "public enemy."

He came back into Lincoln on several occasions, accompanied by some of his former McSween adherents, and they stole horses which they carried into the Panhandle to sell. On one such foray, the clerk at the Indian Agency, Bernstein, was killed, and while Billy the Kid was not actually responsible, yet it was generally ascribed to him and became the basis for issuing a United States warrant for him.

In October the new governor, General Lew Wallace, came to New Mexico, clothed with plenipotentiary power to quiet the disorders. His program at first was all for mild measures. So far as old offenders were concerned, he would wipe the slate clean at once.

In November he issued an amnesty proclamation extending a general pardon to both factions for what had been done between February and November, 1878, but with the proviso that the terms of this offer might not be taken advantage of by "any person in bar of conviction under indictment now found and returned for any such crimes and misdemeanors."

This limitation shut the door upon the Kid, under a double indictment for the killing of Brady and Hindman. He probably was not highly uncomfortable under the situation, for the officers of the law had virtually given over their at-

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104 Marriages in Santa Fe New Mexico.

1872. MINUTES OF SESSION. D. F. McFarland

Nov. 27th David M. Morse and Miss Julia Domingo.
In the Church at the close of Prayermeeting.
Both of Santa Fe N. M.

Witnesses.
Mr W. D. Crothers, Rev. W. B. Friar,
Mr M. A. Breeden, Mrs G. Friar Mr H. S. Hicster
Miss Mattie D. Crothers, Mrs Laura J. McDonald
Miss Jennie Flott, And Mrs D. F. McFarland

1873.
Jan. 1st Mr B. F. Harlow, and Miss Sophie Wollenweber,
Both of Santa Fe New Mexico.
By D. F. McFarland

Witnesses
E. Esselbach, Mrs Julia Esselbach,
Mr J. Peak, Jr. and Miss Frida Wollenweber.

1873
March 1st Mr William H. Antrim and Mrs Catherine McCarty
Both of Santa Fe New Mexico
by D. F. McFarland

Witnesses
Harvey Edmonds, Mrs D. F. McFarland
Miss Katie McFarland, Henry McCarty, Josie H. McCarty

A long disputed argument is solved! This document, obtained for TRUE WEST by Phil Cooke of THE NEW MEXICAN TERRITORIAN just before we went to press, is an exact duplicate of a page from an old record book reposing in the vault of the First Presbyterian Church in Santa Fe. It attests to the marriage of William H. Antrim to Catherine McCarty. Witnessing the ceremony were Catherine's two sons—Henry and Joseph. A scant few years later, Henry was to be known by many aliases: "Henry Antrim," "Billy Antrim," "Kid Antrim," "The Kid," "William H. Bonney" and, finally, "Billy the Kid." This record proves Billy the Kid's real name was McCarty, not Antrim or Bonney as many have believed.

tempts to arrest him. The fall term of court had been pretermitted, and this created a lapse of several months before there would be any activity on the part of those charged with arresting offenders or dispensing justice.

BY FEBRUARY, 1879, the two original factions were ready to patch up a peace, and a conference was held in Lincoln. Billy the Kid, Tom O'Folliard and probably one of the Salazars representing the former McSween group, and Jesse Evans, Tom Campbell and James J. Dolan, representing the former Murphy-Dolan-Riley contingent, met and drew up terms of peace.

But hardly was the ink dry on the document when the feud flared up again. As the conferees and several of their friends were going down the street of Lincoln celebrating the newly established era of amity and goodwill, they encountered Huston J. Chapman, a lawyer of the trouble-making type whom Mrs. McSween had secured to look after her interests.

For three or four months, Chapman had been a veritable gadfly both to the Dolan faction and to the military at Fort Stanton, especially Colonel Nathan A. M. Dudley, the commanding officer, who had come to the rescue of the Dolan crowd when they were hard pressed toward the end of the five day fight at Lincoln in July. There was a clash of

words between the Dolan group and Chapman, followed by two shots which left the lawyer's body lifeless on the streets.

If the old indictments mean anything, Campbell and Dolan were considered the principals in this killing, while Jesse Evans was an accessory.

Governor Wallace felt that the Chapman killing indicated a new and possibly more serious outbreak than before. He came upon the scene and took personal charge of the arrest of those responsible for the murder. One of the first his mind turned toward was Billy the Kid, and the letter to Colonel Edward Hatch, then commanding the troops in New Mexico, was short and pointed:

"I have just ascertained that the Kid is at a place called Las Tablas, a plazita up near Coghlin's ranch. He has with him Thomas O'Folliard, and was going out of the Territory, but stopped there to rest his horses, saying he would stay a few days. He was at the house of one Salazar.

"You will oblige me by sending a detachment after the two men; and if they are caught, send them on to Fort Stanton for trial as accessories to the murder of Chapman.

"If the men are found to have left Las Tablas, I beg they may be pursued until caught. The details are commended to your good judgment."

News of the Governor's determination must have reached Billy the Kid, for, as the following letter to Governor Wallace written a few days later shows, he sought to bespeak for himself some sort of special dispensation:

"I have heard that you will give one thousand ($) for my body, which as I can understand it means alive as a witness. I know it is as a witness against those that murdered Mr. Chapman. If it was so as I could appear at court, I could give the desired information, but I have indictments against me for things that happened in the Lincoln County War, and am afraid to give myself up because my enemies would kill me. The day Mr. Chapman was murdered, I was in Lincoln at the request of good citizens to meet Mr. J. J. Dolan, to meet as a friend so as to be able to lay aside our arms and go to work. I was present when Mr. Chapman was murdered and know who did it; and if it were not for those indictments, I would have made it clear before now. If it is in your power to annul those indictments, I hope you will do so, so as to give me a chance to explain. Please send me an answer telling me what you can do. You can send answer by bearer. I have no wish to fight any more; indeed, I have not raised an arm since your proclamation. As to my character I refer you to any of the citizens, for the majority of them are my friends and have been helping me all they could. I am called Kid Antrim, but Antrim is my stepfather's name.

Waiting an answer, I remain,

Your obedient servant

W. H. Bonney"

Negotiations, both by letters and by interview, finally brought the Governor and the young outlaw into an understanding by which Billy the Kid was to undergo pseudo-arrest by Sheriff Kimbrell. The program was carried out, and Billy the Kid lodged under guard in the Patrón Store building in Lincoln, pending the approaching session of the grand jury.

When court convened about the middle of April, he was one of the witnesses whose testimony resulted in the indictment of Dolan, Campbell and Jesse Evans in connection with the Chapman killing. The Kid himself appeared in court and pleaded not guilty to the indictments against him for the Brady-Hindman killing. A change of venue to Dona Ana County was allowed, an arrangement which postponed his trial a month or two.

IN THE INTERVAL, however, Billy the Kid suffered a change of heart. Just before time to be taken over to La Mesilla for trial, he escaped and took refuge at Fort Sumner. Why he did this is hard to determine now. Possibly his faith weakened in regard to Governor Wallace's ability to guarantee immunity, especially when the district judge, Warren Bristol, and the district attorney, William L. Rynderson, were implacably hostile to the McSween faction as well as politically opposed to Governor Wallace.

Probably he also realized that if he did happen to "come clear" at the trial, he would face the enmity of the Dolan faction, embittered by his testimony before the grand jury. At any rate, he elected to burn his bridges behind him, and at once resumed his former habit of looking out for himself with the aid of his firearms.

He was at large in the vicinity of Fort Sumner for approximately a year-and-a-half. The question of a livelihood he met through monte-dealing and cattle-stealing. At the point of a pistol he had presented a claim to John S. Chisum for $500 back pay for services during the Lincoln County War, but the wily old cattle baron denied the claim and argued the Kid into lowering the revolver.

The Kid, however, bestowed a parting threat that he would obtain the $500 in good measure from the Chisum herds, and he and his companions proceeded to make good the threat.

Their cattle-stealing, however, soon passed the reprisal stage, and became a definitely organized business. His gang grew until it included not only old Lincoln County associates like Charlie Bowdre and Tom O'Folliard, but also some even rougher men who had drifted into Fort Sumner, such as Dave Rudabaugh, Tom Pickett and Billy Wilson. Even the community itself at Fort Sumner probably furnished some recruits.

Fort Sumner was advantageously located as a base for such a business. About forty miles east, in the vicinity of Las Portales Lake, was an ideal hide-out where the booty might be concealed. It was easy to take horses out into the Panhandle and find a ready market at Tascosa and other settlements. It was equally easy to gather up on the return a bunch of cattle and carry them down through Fort Sumner and into Lincoln County, where Pat Coghlin at Tularosa had a depot ready and waiting for stolen cattle, with which to fulfill his government contracts.

It was some such system that brought to a head the irritation of the Panhandle cattlemen. Frank Stewart, as special agent, came over into New Mexico with a posse in the early part of December, 1880, to retake cattle supposedly in the vicinity of Fort Sumner and in the hands of Billy the Kid's gang. But prior to this, the toils had begun to close around the Kid. As sheriff-elect of Lincoln County, Pat Garrett had already begun his stern pursuit of the Kid and his followers.

The Kid aggravated the case against himself when in the latter part of November, 1880, he killed a popular resident of White Oaks, Jim Carlyle, in a fight at the Greathouse Ranch. Garrett carried the pursuit shortly afterward straight into Fort Sumner, in the vicinity of which the Kid's gang was hiding. Frank Stewart and his men from the Canadian joined forces with Garrett's posse.

O'Folliard was ambushed; a little later, the Kid, Rudabaugh, Bowdre, Tom Pickett, and Billy Wilson were rounded up in a small hut at Stinking Springs. Bowdre was killed (the hat he was wearing causing him to be mistaken for the Kid). The remaining four decided to surrender.

The Kid was taken to Santa Fe, where he was kept in jail until April, 1881, when he was taken down to La Mesilla for trial. This was quickly over; the Kid was sentenced by Judge Bristol to be hanged on May 13 at Lincoln. His dramatic escape is perhaps too well-known to be given here at any greater length than in the words Garrett wrote on the order of execution:

"I certify that I rec'd the within named William Bonney alias Kid alias William Antrim into my custody on the 21st day of April, A. D. 1881. And I further certify that on April 28th the said Wm. Bonney alias Kid alias William Antrim made his escape by killing his guard, J. W. Bell and Robert Olinger in Lincoln Co., New Mexico."

THIS EXHIBITION of derring-do put Billy the Kid more on a pedestal than before and attracted toward him the instinctive admiration of all lovers of "the art of daring." Up to this point in his career, opinion had been divided. Was he a sneaks-by or a lad of mettle, a ruffian or a hero?

No definite answer seemed possible. But after this escape, popular imagination seized him for its darling and recognized in him more than a common killer and thief, more than a common leech on society. Even the *Santa Fe New Mexican*, always disparaging of the Kid, bestowed a grudging plaudit in the issue of May 4, 1881, a few days after the escape:

"The above (the account of Kid's escape) is the record of as bold a deed as those versed in the annals of crime can recall. It surpasses anything of which the Kid had been guilty so far, that his past offenses lose much of heinousness in comparison with it, and it effectively settles the question as to whether the Kid is a cowardly cutthroat or a thoroughly reckless and fearless man. Never before has he faced death boldly or run any great risk in the perpetration of his bloody deeds. Bob Olinger used to say that he was a cur, and that every man he had killed had been murdered in cold blood and without the slightest chance of defending himself. The Kid displayed no disposition to correct this until this last act of his when he taught Olinger by bitter experience that his theory was anything but correct."

But from such an Apollo, the Kid's life turns almost into the commonplace in its last scene. This young outlaw, with a Territorial reward of $500 upon his head, hides himself in the friendly camp of a Mexican sheepherder and palters with the idea of leaving the country, at least for a time. One July night he seeks the sociability of a baile at the home of one of the leading Mexican ranch-owners in the vicinity of Fort Sumner.

After the dance ends about eleven o'clock, he rides back to the sheep camp

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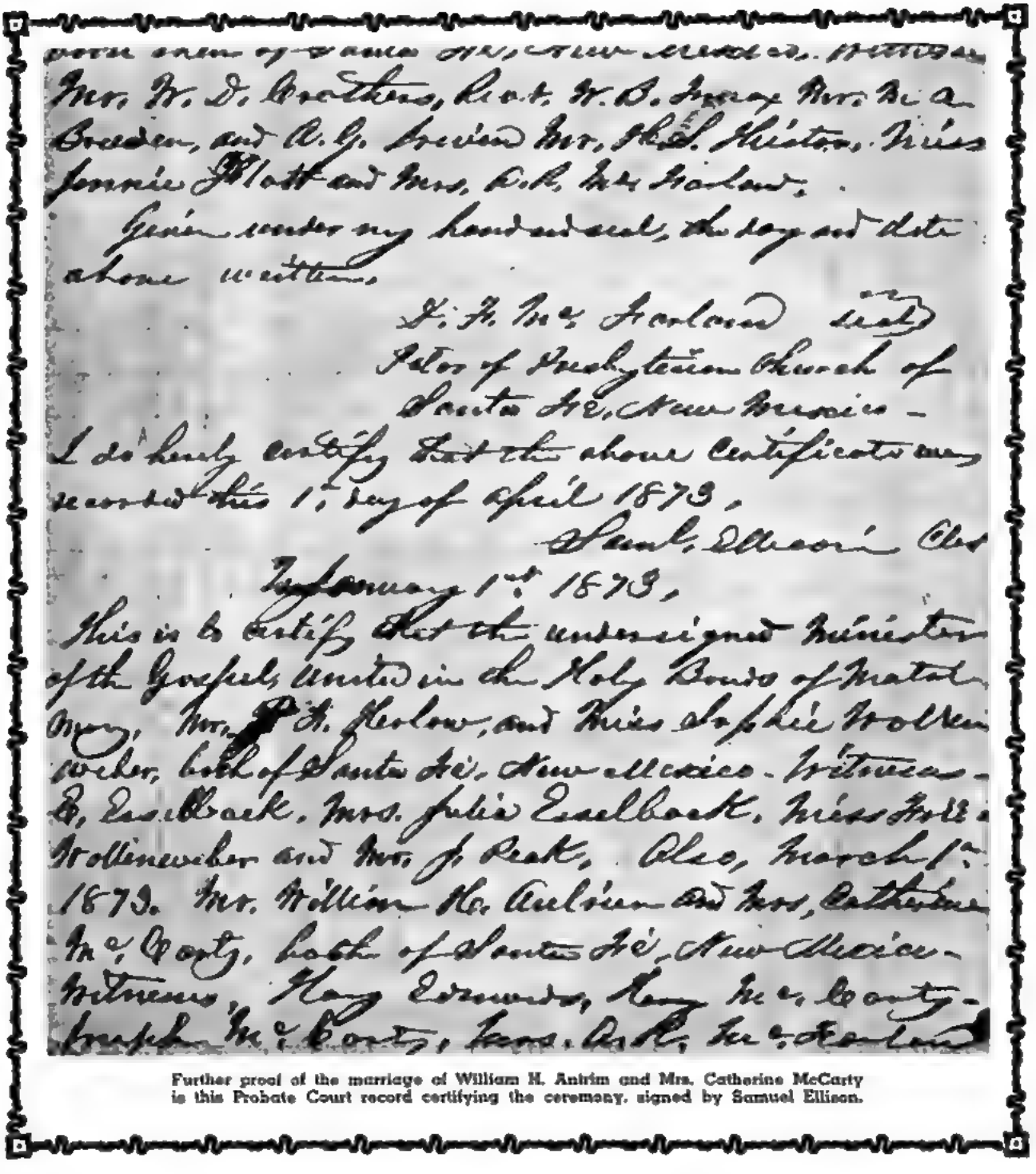


Further proof of the marriage of William H. Antrim and Mrs. Catherine McCarty is this Probate Court record certifying the ceremony, signed by Samuel Ellison.

and then decides to go over to the Maxwell ranch. About midnight he reaches the room of one of the employees of the Maxwells living in the long row of adobe rooms to the south of the building in which the Maxwell family lived.

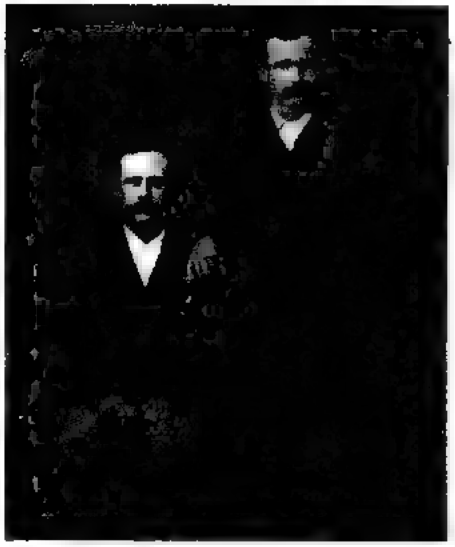
After divesting himself of shoes and garments superfluous on a July night to a man seeking relaxation, he grows hungry and, learning that a freshly killed quarter of beef is hanging on the north porch of the Maxwell dwelling, he sallies forth, butcher-knife in hand, to cut for himself a piece of meat. His route takes him past two members of the posse at the end of the south porch, and at this point he seems to lose that genius for preserving his own life by means of his flaming pistol.

He moves on past the two strangers, who must have been revealed fully to him in the moonlight, and dodges into the doorway of Pete Maxwell's bedroom, there to confront the pistol held by Pat Garrett and from it to receive the coup de grace.

It was never easy to draw out Mr. Poe about the death of the Kid, but at Mrs. Poe's urging, he finally wrote out the account and turned it over to her to keep against whatever time might be suitable for its publication. In the early part of 1919, Mr. Edward Seymour, of New York, a gentleman interested in the history of the West, feeling skeptical about certain information regarding the death of the Kid which had come to him, inquired of the late Charles Goodnight as to a reliable source of information. Mr. Goodnight referred him to Mr. Poe, making the comment that, "Whatever John Poe would furnish would be true." As the easiest way of giving Mr Seymour the facts, Mr. Poe sent him a copy of the account Mrs. Poe was treasuring. This eventually reached Mr. E. A. Brininstool of Los Angeles who, perceiving its value, secured its publication in an English magazine, *The Wide World*, for December, 1919. Afterward Mr. Brininstool published the account as a privately printed brochure, which in the course of time passed into the limbo of "out of print."

The present volume gives to this grim episode of the old Southwest that definitive and permanent form it richly merits, considering its importance as source material.—**Maurice Garland Fulton.**

(Continued on next page)



Left, the old county jail and courthouse at Lincoln, New Mexico, from which Billy the Kid made his famous escape. Right, Pete Maxwell, sitting, and Henry Leis, standing.

DEATH OF BILLY THE KID

DURING THE WINTER of 1880-81, I was living in the Panhandle of Texas, where I had been serving as deputy U.S. marshal and also as deputy sheriff. About the middle of that winter the cattlemen of the Panhandle, who had organized an association for the protection of their cattle interests known as the Canadian River Cattle Association, and of which Mr. Charles Goodnight was one of the leading spirits, submitted a proposition to me to enter their employ and, as their representative, to cooperate with the authorities of New Mexico with the view of suppressing and putting an end to the wholesale raiding and stealing of cattle which had been and was then carried on by Billy the Kid and his gang of desperadoes, of whom there were quite a number and of whom a great majority of the people in the localities where they were operating stood in fear and terror.

I was given practically unlimited authority to act for and represent the association in all matters affecting their interests in New Mexico, including authority to draw all funds necessary for apprehending and prosecuting thieves and rustlers, particularly those depredations of stock belonging to the Association, the only restriction being that I should proceed in a lawful manner.

Pursuant to this agreement I went to White Oaks, Lincoln County, New Mexico in March, 1881. White Oaks was at that time a booming mining town and was a sort of rendezvous for tough characters generally, including the following of the Kid and their friends and sympathizers, of whom there were many. It was here that I first met Pat Garrett, who was at that time sheriff of Lincoln County.

After an interview with him, in which I explained the nature of my business in New Mexico, it was agreed that I should be commissioned as one of his deputies. This was done and we cooperated in every way possible to suppress crime in that region, particularly cattle rustling.

It should be remembered that, at this particular time, the Kid was being held under guard at Lincoln, the county seat, under sentence of death for murder. But he had many sympathizers and followers still at large, stealing cattle, committing robberies and various other crimes. They were operating from the Panhandle through a great part of New Mexico and into Arizona.

At our first meeting Garrett and I agreed that I should make a trip to Tombstone, Arizona, which was then in its palmiest days as a mining camp. Some of the stolen cattle from the Panhandle had been driven there and I hoped to recover them. This program was carried out, and on the day of our second meeting in White Oaks, some time during the month of April, information came from Lincoln, some forty miles distant, that Billy the Kid had escaped from his guards, killing two of them, and was again at large.

This occurred only a few days before the time set for the Kid's execution and naturally caused a great deal of excitement throughout that region.

Garrett immediately started for Lincoln, while I remained on the lookout for the Kid at White Oaks for a time.

Upon arriving at Lincoln on the night following the day of the escape, Garrett found that two of his deputies (Bob Olinger and a man named Bell) had been killed by the Kid. Partly by means of a cunning ruse and partly by reason of the carelessness of the deputies, Billy had broken into a room containing firearms, adjacent to where he was guarded, secured a six-shooter and immediately proceeded to add two more to his already long list of victims. Then he had compelled another man on the premises to secure a horse for him. He rode away leaving the people of the little town completely terrorized.

Garrett at once organized several posses and scoured the country in all directions for several days in an endeavor to recapture his man but, failing to find any trace of him, finally gave up the hunt in the full belief that the Kid had gone to Old Mexico.

According to my recollection, this killing and escape occurred in the latter part of April, after which we were unable to learn anything whatever indicating the whereabouts of the Kid until the July following, notwithstanding the fact that we were constantly on the alert and made the most strenuous efforts to locate him.

DURING THE INTERVAL between the time of the Kid's escape and the time he was killed, I continued to make headquarters at White Oaks, during which time I scoured the country thoroughly, finding many stolen cattle and also the hides of stolen cattle which had been slaughtered. I had a number of arrests made, prosecutions instituted, etc., being assisted in all this by Sheriff Garrett, who cooperated with me in every way possible and whom I found to be a very brave and efficient officer.

Some time in the early part of July, I was approached by a man in White Oaks (I had formerly known him in Texas). Although addicted to habits of dissipation, he was a man of good principles and had, on previous occasions, shown a desire to assist me in the work I had in hand.

This man told me a story in strict confidence—as he probably felt that his life depended on its being treated in that respect—the gist of which was that for want of a better place, he had for some time been occupying as sleeping quarters a vacant room in a certain livery stable, owned and operated by two men who were known to be friends of Billy the Kid.

A short time previous, while in his sleeping quarters at night, he had overheard a conversation between the two men which convinced him that the Kid was yet in the country, making his headquarters at Fort Sumner, about 100 miles from White Oaks.

The Kid, at two different times since his escape from Lincoln, had been in the vicinity of White Oaks and had met or communicated with the two men whose conversation my informant had overheard.

I was somewhat skeptical as to the correctness of this information, as it

(Continued on page 44)

In the old days it wasn't safe to be without protection. Many men—and women, too—preferred the handy little derringer, a lethal weapon of capsule size.

Fist Full of Fire

By LOUIS WILLIAM STEINWEDEL

SOME THIRTY years before the War Between the States, a talented gun maker working in Philadelphia conceived an idea that would change the course of history and make the name Henry Deringer a household word.

The original pistols made by Deringer of Philadelphia were muzzle-loading single shot percussion guns that ranged in calibre from a hefty .50 down to about .36. Since the pistols were intended to be concealed in pockets, boot-tops and even in sleeves, they were made as small as possible; most averaged between four-and-a-half to five inches in length.

Because the percussion derringers fired only a single shot and were rather tedious to reload they were usually sold and carried in pairs. Derringers, because they were small, were more often than not highly decorated guns; engraving was not uncommon and there were often gold, silver, or pearl inlays. Extra fancy woods were used in the stocks.

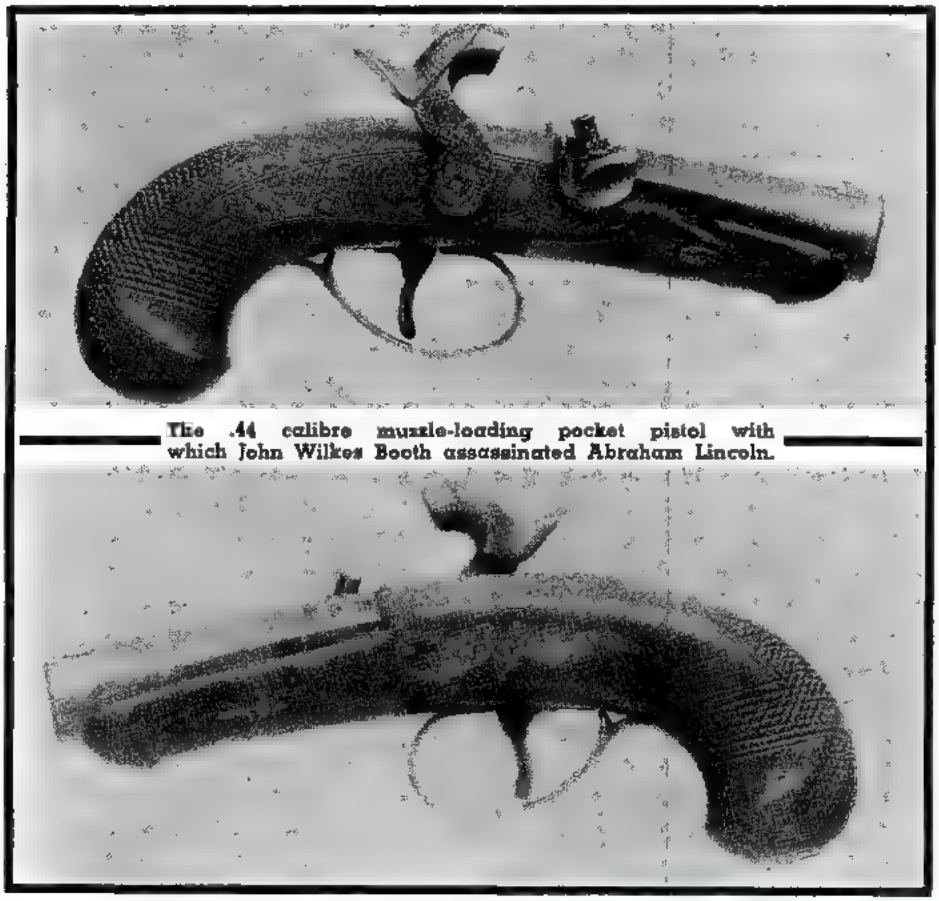
In those days, when it wasn't safe to be without protection even in the East, a small handy gun like the derringer was naturally very popular and sold well in all parts of the country. They were particularly popular in California during the gold rush days and a few were even manufactured there.

Because of the great demand for the pistols, Henry Deringer's establishment in Philadelphia was unable to turn out sufficient quantities to keep up with the great demand. As a result, many gunsmiths who had worked for Deringer branched out on their own. Some pistols were outright counterfeits of the original Deringer gun; other manufacturers sought merely to duplicate the style.

Henry Deringer spelled his name with one "r"; guns marked with that name are originals from the Philadelphia shop. Others, marked "derringer" or left unmarked, are copies made in imitation of the original. It was impossible to patent a gun like the original because it actually did not contain new or patentable features. The parts from which it was made were stock fixtures available to any gunsmith.

An original Sharps four-barrel derringer "pepperbox" pistol.

Smithsonian Institution Photos



The .44 calibre muzzle-loading pocket pistol with which John Wilkes Booth assassinated Abraham Lincoln.

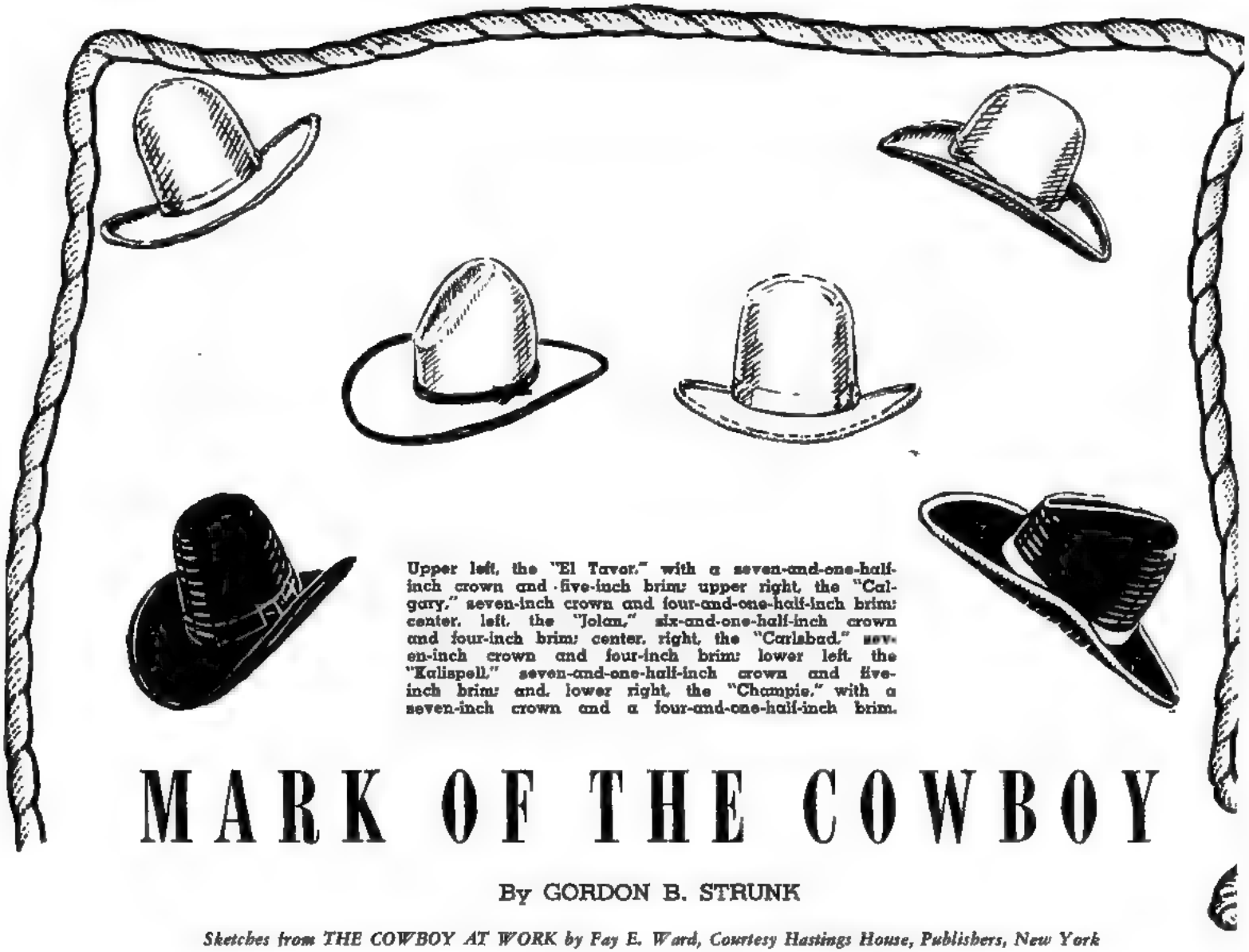
The derringer received its greatest fame on the night of April 14, 1865, when John Wilkes Booth used a .44 calibre muzzleloader to assassinate Abraham Lincoln. That historic gun is now on display in the Lincoln Museum across the street from Ford's Theater in Washington.

The invention of metallic cartridges revolutionized firearms and derringers were no exception. A derringer could not only fire more than one shot but it could be reloaded in a hurry. The Sharps Firearms Company, already famous for their "Buffalo Gun," manufactured a derringer that was a mechanical masterpiece. It contained four barrels which remained stationary while the tiny firing pin revolved—an intricate and ingenious mechanism. The Sharps was produced in .22, .30, and .32 calibre rimfire and became very popular, particularly with ladies, who favored carrying the bronze frame gun in a muff.

IN 1865, Remington brought out a derringer, destined to become the most familiar of all the models. The Remington double-barrel over-under gun can be seen in almost any television or movie Western. Under the influence of such publicity, this model derringer is currently so popular several copies are now being manufactured.

Remington's .41 calibre model was offered for seventy years (one of the longest production spans on record), establishing it as one of the most popular guns ever made. These Remingtons

(Continued on page 57)



Upper left, the "El Tavor," with a seven-and-one-half-inch crown and five-inch brim; upper right, the "Calgary," seven-inch crown and four-and-one-half-inch brim; center, left, the "Jolan," six-and-one-half-inch crown and four-inch brim; center, right, the "Carlsbad," seven-inch crown and four-inch brim; lower left, the "Kalispell," seven-and-one-half-inch crown and five-inch brim; and, lower right, the "Champie," with a seven-inch crown and a four-and-one-half-inch brim.

MARK OF THE COWBOY

By GORDON B. STRUNK

Sketches from THE COWBOY AT WORK by Fay E. Ward, Courtesy Hastings House, Publishers, New York

Huffman photos

TWO SYMBOLS of the West will always live: the Colt revolver and the ten-gallon hat—the "Stetson."

The story of Samuel Colt and his "gun that won the West" has been told and retold. The story of the man who stands beside Colt for his contribution to the life of the cowboy is little known.

John B. Stetson's hat was, like many decorative and symbolic articles, intended to be purely functional. The cowboys themselves recognized its perfection almost at once. There was only one Stetson. There were many distinctive saddlemakers, gunsmiths, makers of fancy chaps and boots, but the Westerners stuck to the Stetson religiously. Many a cowboy spent an entire month's salary, from thirty to fifty dollars, on a Stetson hat.

Stetson himself was a Pennsylvanian; his name might never have become famous except for "lung fever"—tuberculosis, as we call it today. In the 1860's, a last resort remedy recommended by doctors was a trip west. The State of Colorado was thickly populated with "lungers" and among those making the trek was young Stetson.

Camped in the Pike's Peak region with some companions who also sought recovery from the disease, the greenhorns found themselves without shelter, except for their blankets, in the sharp, stabbing cold of the Colorado Rockies.

"You can make a fair to middlin' tent from animal skins," their local guide informed them, "but most people would rather not sleep inside one. They smell like the inside of an outhouse. Even an Indian won't make a tent without tanning the skins."

"That isn't any problem," Stetson said confidently. "You can process fur without tanning it. Even make cloth without weaving."

"You pullin' my leg, sonny?"

"No, I'm serious. It's a process called felting. My father uses it all the time to make felt for his hat shop."

"Prove it."

The following day they shot several jackrabbits and with a crude hatchet and a few improvised tools Stetson converted the rabbit skins into felt. The squares of soft felt amazed not only the Westerner but Stetson's companions as well.

The Westerner was especially curious about what kind of hat could be made from this "felt." It might be all right for city men, he believed, but what kind of hat would you make for a real outdoors man—a man who lived outside ninety-five per cent of his life, facing all the elements from burning heat to bitter cold?

What single item most accurately typifies a western cowboy? Six-shooter? Nope. Lariat? Nope. Horse, maybe? Wrong again. His Stetson hat!

Before the day was out, John Stetson had fashioned a rough hat for their approval. It had a high crown, almost ten inches from tip to base. The brim was five inches wide. It was a big hat, deliberately so, to protect a man from sun, rain, sandstorms and hail. It could be used to water an animal, and the crown could actually be used as a "carryall."

John Stetson became more pleased with his new style hat the more he tested it. He wore it constantly and due to its size and odd design, he attracted much attention.

There was, in those early times, no typical Western clothing. Men who had sailed the seas rode the plains with a jaunty, though impractical, seaman's cap with visor, or the stocking cap of the common sailor and mountain men. High beaver hats were common and many men proudly sported the "bowler," the hard-crowned derby hat imported from England. Some wore coonskins; a few wore the broad-brimmed, flat-crowned Spanish hats.

Stetson took some praise and a lot of good-natured ridicule until one day a big man on a big horse rode out to the camp of the semi-invalids, asking for the man with the "big hat." He wanted it. Not one like it, but the very one Stetson wore. "At least," he urged, "let me try it on."

When he did, John Stetson looked at the picture the man made, and a seed germinated in his mind. The man was riding a magnificent horse. His saddle and bridle were richly ornamented with silver, his shirt ornately stitched, his holster handsomely carved and his belt heavily studded with silver conchos. In the rugged-looking, man-sized hat, Stetson knew he saw a complete picture of a dashing, handsomely outfitted man.

The Westerner liked it too. He offered $20.00 and Stetson didn't have the heart to turn him down. The hat and the man belonged together.

THE COLORADO climate did the trick and John Stetson recovered his health and returned to Philadelphia and his father's hat shop. With him he carried a picture of a real man on a real mount, wearing a real man's hat.

His hat business in the City of Brotherly Love was in the doldrums. Times were hard. The country was moving west—where opportunity lay. The country had to be fed and, like the British, the Americans were becoming beef-eaters. The cattle business was becoming the leading industry west of Ohio. Riders were dotting the plains and valleys and hills of the West—riders, Stetson knew, who, like the unknown Coloradan, needed a "big hat"—a hat that made them look like a "boss man"—a king of the plains.

Stetson mulled over the idea, designing and redesigning in the dank upper room at Seventh and Callowhill Street. Satisfied at last that he had found a design which would appeal to both the practical and the vain, he decided to gamble his health and his little remaining money on the venture. The hat he finally chose as his sample was much like the original one—big, and made of natural colored felt. He made several, and named them "The Boss of the Plains." He sent samples to storekeepers in the West and Southwest and invited orders. Inside the sweatband of each of his hats, imprinted in gold leaf, was the word "Stetson."

When this proud hat, displayed on hooks and racks in the general stores of the West, caught the eyes of the cowboys, it was like two friends meeting and recognizing their need for each other. The Texas Rangers adopted it instantly. Its fame spread like a prairie fire and Stetson's only problem was how to supply the demand.

No cowboy would look complete without his hat.

Not only orders, but private orders with instructions for special decorations or hatbands, poured in, accompanied by hard cash and checks. In less than six months Stetson abandoned his eastern trade and concentrated on making his "Boss of the Plains." He built a three-story factory and took on a big crew, bought new machinery and contracted for all the fur he could get.

He was surprised when his chosen name for the hats failed to stick. A letter, with cash and a request for preference in delivery, would simply state: "I want me a black Stetson." The hats poured into the West, where they became the trademark of the cowboy and the rancher.

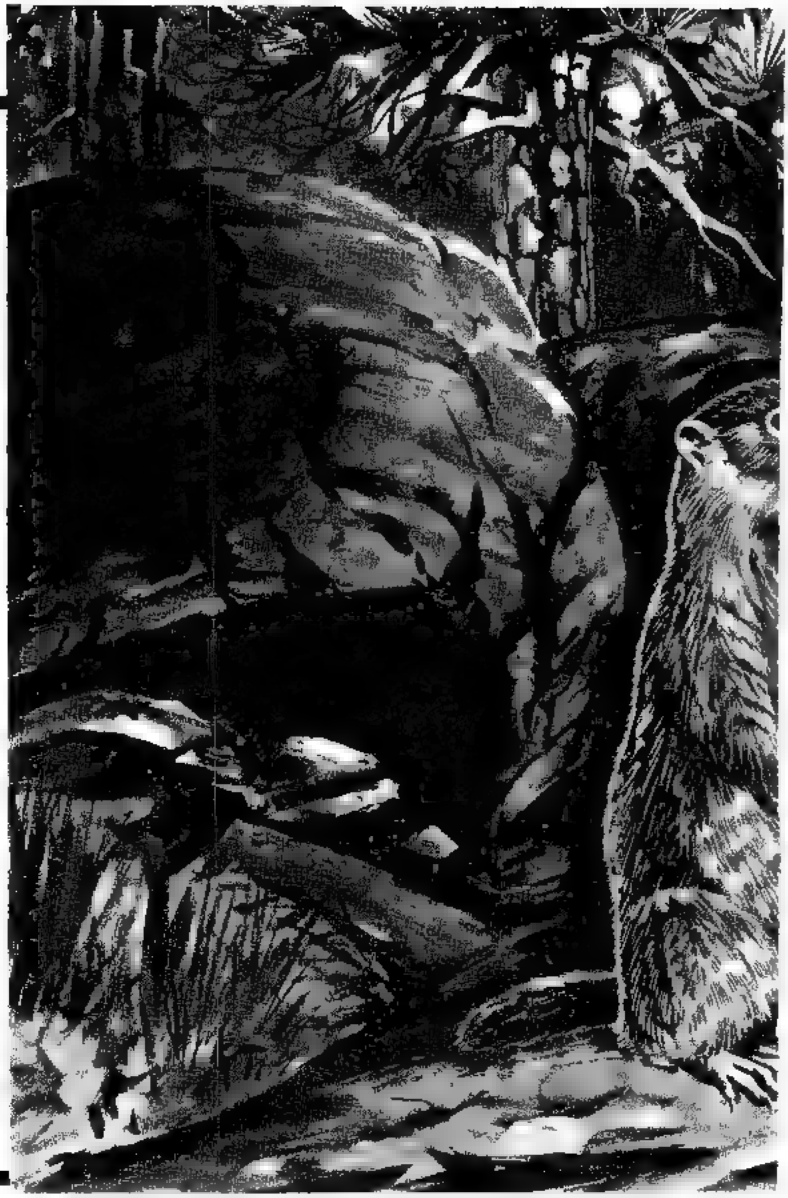
THE HERDS moved north and the cowboys who drove them wore Stetsons. The hat became popular in the cities as well as the open country and Stetson obligingly designed more "dressy" hats for the city trade. He heeded advice from the wearers about varying the styles—shorter brims, lower crowns, wider crowns—he turned them out in every color desired and in every shape and the cowboys and Westerners spent

(Continued on page 60)

Groundhog's Gold

By TOM BAILEY

Illustrated by Al Martin Napoletano



Somewhere in Colorado there's a mighty rich rodent. The tough thing to answer is "Where?"

PRACTICALLY every town or hamlet in the mineral belts of the West has a lost-mine story in its closet. If there hasn't been an authentic tale to tell the tourists, somebody thinks up one. With so many yarns floating about, it is difficult for a treasure hunter to determine where to start looking and where not to. Most of these stories are subject to skepticism unless backed up by irrefutable facts, and facts about lost treasures are hard to come by.

One such tale concerns a lost gold discovery in the old Fairplay district of Colorado and dates back to 1858. I am not going to tell you it's true, for I am not sure. It could be. I can only give you the known facts and let you be the judge. True or false, it still is one of the most fascinating lost-mine stories I know about.

Early in 1858 the Russell brothers, Green, Oliver and Levi, "raised color" on Cherry Creek, within the present confines of Denver, and on the Cache la Poudre, forty miles to the north. By Christmas several hundred impatient fortune-seekers had gathered in two small settlements on opposite banks of Cherry Creek close to its junction with the South Platte. Unable to search for gold because of the weather, these prospectors told and retold news of the big find, gradually exaggerating it out of proportion. By the time the stories reached the East, they were real whoppers, having little in common with actual fact.

All sorts of conveyances took to the Overland and Santa Fe Trails as early as February, 1859, and by late March hundreds of men, women and children had arrived, expecting to find the creeks full of gold. Badly disillusioned at finding that gold was scarce and the work to uncover it arduous, many returned to their homes in Missouri, Kansas, Illinois, Ohio and Kentucky. But enough remained to fill the mud hovels along Cherry Creek and in Denver City and Auraria.

Gold strikes were made, however, in South Park and along Boulder Creek, and finally all up and down the Rockies the precious metal began to be mined in earnest. Tarryall, Hamilton, Buckskin Joe, Fairplay, Golden, Gold Hill, Boulder, Colorado City and other settlements were established.

Among the newcomers were Adolph Hockmeyer and his sixteen-year-old daughter, Penelope. Hockmeyer, born in Germany, had come to this country as a young man and married an American girl in Philadelphia. Mrs. Hockmeyer died when Penelope was born in 1842 and Hockmeyer had educated the child in the best schools. He was a blacksmith by trade and established a shop in Fairplay.

There were few women in Fairplay so her father seldom let Penelope out of his sight. During the day when he was at work she tended the bellows in his shop and prepared the charcoal he needed for his forge.

ONE DAY a man known as Buzzard left a horse to be shod. The animal had been limping and Buzzard thought it needed a new set of shoes. Hockmeyer was surprised to find that a portion of the right hind hoof had been damaged and had festered badly under the shoe. Examining it, he found of all things—a gold nugget the size of a walnut!

The blacksmith decided to do nothing about replacing the shoe until the owner saw the cause of the animal's limp. No doubt the horse would have to be put on pasture for a time to let the sore heal.

Buzzard's real name has long since been forgotten. It was said that he acquired the name "Buzzard" because he often shot buzzards and ate them. Not even a coyote will eat a buzzard, so it would appear this man was not highly regarded in Fairplay. No physical description of him is available, except in a general way. He was tall, wore clothing made of animal skins and was a whisky drinker.

Buzzard had not returned by evening, so Hockmeyer decided to look for him in the saloons. He told Penelope to stay in the shop and explain what was wrong with the hoof if Buzzard returned be-

"As soon as the spring buds were out, Buzzard would make his way back to the place of his discovery."

fore he did.

At all the drinking places, Hockmeyer was told that Buzzard had been there and left.

"You should have been here," one bartender said. "He bought drinks for the house. Seems he struck it rich somewhere up the line. Threw a handful of nuggets on the bar and invited everybody to join him."

Hockmeyer returned to his shop and found it closed and locked. He thought Penelope had gone home but when he arrived the house was empty.

Inquiry around town failed to show any trace of the girl or of Buzzard's movements after he left the saloons. The word got out that Penelope had eloped with Buzzard, but Hockmeyer knew this could not be so. His daughter had been frightened by Buzzard's appearance and when asked by her father to remain at the shop had begged him to return as quickly as possible.

About midnight searchers came upon the girl's body in back of the blacksmith shop, badly mutilated with a knife. Hockmeyer was so overcome with grief he could not participate in the search for Buzzard, which lasted the rest of the night and into the following day. But no trace of the man could be found.

Another posse was organized the second day and scoured the countryside, but gradually the searchers gave up and returned to their own affairs. Hockmeyer's forge remained cold and his customers went elsewhere as he pursued the search for his daughter's slayer.

Then one day Buzzard entered one of the saloons and was quickly seized by the bartender and several citizens. He denied murdering Penelope Hockmeyer, and said he had gone to get his horse and the girl informed him of the trouble. He cleaned out the injured portion of the hoof, packed it with some cotton the girl gave him, and put the shoe back on. When he left, Miss Hockmeyer told him she was expecting her father but since he hadn't returned she was going to close the shop and walk home. "If you see my father," Buzzard quoted her as saying, "tell him he will find me at the house."

After leaving town, Buzzard said he had ridden to a friend's camp and stayed all night. This was verified by citizens who called on the friend. After holding Hockmeyer in the back of a saloon for two days, his captors decided to release him. Since there was no actual proof that he had murdered the girl, no one wanted to take the responsibility of hanging him. The fact he had returned to town after several weeks was another factor in his favor.

The girl could have been murdered by any of the many rough characters in town. With no doctor in town, autopsy had been impossible, so no one ever knew if the girl had been raped before she was slain. Perhaps the slayer, knowing that Penelope could identify him, had first raped and then killed her to save his own skin. It would have had to have been someone she knew, at least by sight.

IN TIME Hockmeyer returned to his forge and anvil. Meanwhile, the other men of Fairplay tried in vain to learn where Buzzard was getting his gold. Each time he came into Fairplay or its sister mining camp of Alma he spent nuggets like water. On one occasion he spent $5,000 on a binge that lasted two weeks. This was most unusual for a man who had lived frugally so many months through '58 and part of '59; it meant that his strike was of unusual size.

Wherever it was, it was some distance from Fairplay, far enough that he had to pack all his supplies on muleback. He appeared in Fairplay at least once a month to buy groceries and other necessities and left in secret. If he detected pursuit, he would make camp and then sneak off later in the night.

In the winter Fairplay was buried in snow. Only a few hardy souls stuck it out from late November until April. During these months Buzzard would go to Denver City or some other camp at a lower elevation to wait for the April thaw. He never seemed to worry about

(Continued on page 56)

Milton Faver's Fort Cienega.

Deep in the rugged and deserted wes

the only protection for hundreds of mile

Don Milton Faver:

By BARI

Photos from

Author's Note: A couple of years ago I hit a jackpot—I came into possession of 555 pictures from the estate of a man who came to Fort Davis, Texas, in 1867. A dozen or so were priceless, including those of Cienega and Cibolo shown for the first time in print on these pages.

Certain of them were extremely hard to identify. One, from visits to the present site of Cienega, I have definitely pinpointed as showing that outpost. Several could have been of Cibolo, which is not accessible nowadays. These adobe forts were very similar in style of construction, making positive identification difficult. As far as I know, these are the only photos of old Cienega and Cibolo in existence—even the Greenwoods, who figure prominently in this story, had never seen any photos of the towers.

HOSTILE APACHES wanted to get into the little fort to wipe out the defenders. They jabbed a hole through the adobe wall at ground level. A warrior started crawling through. Then something stopped him. His legs kicked convulsively. Two bucks seized his ankles and tried to pull him out. They couldn't budge him.

Months later, under a temporary peace powwow, a chief burning with curiosity asked Milton Faver, builder and owner of the Texas fort, what had held the brave so tight.

"One of my men, a big, stout Mexican," Don Milton revealed, "ran him through with a sword and pinned him to the ground."

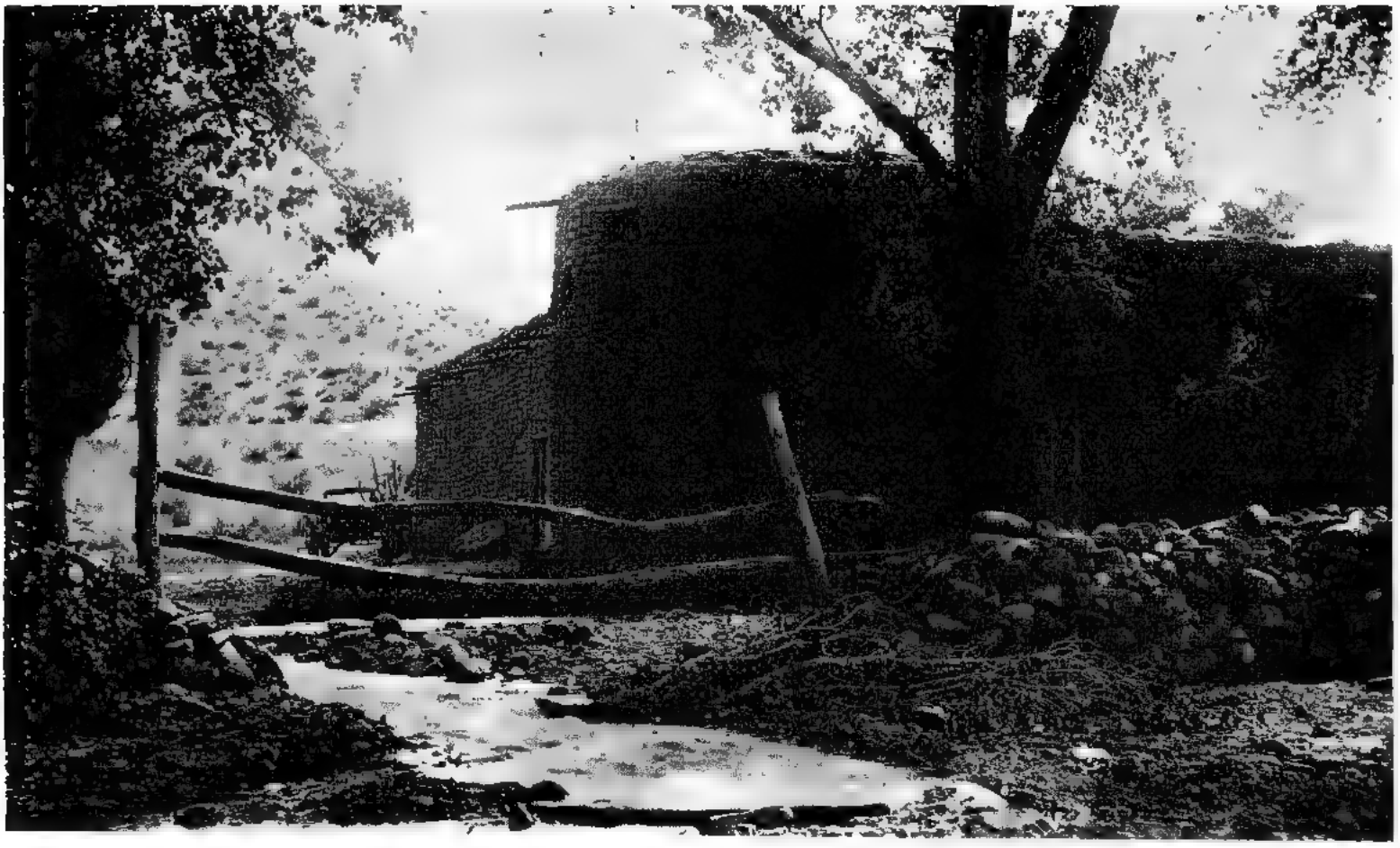
UNTIL THREE YEARS ago almost every known piece of writing about Milton Faver termed him the "Mystery Man of the Big Bend." They called him an Englishman, a Virginian—even a Frenchman. They described him as an educated gentleman fluent in Spanish, French, German and English, always courteous, the first cattleman west of the Pecos River and a distiller of peach brandy.

What is definitely known is that he was the only Anglo-American settler in the Big Bend country and that his ranch buildings were the only defense against Apache raiders until Fort Davis was established in 1854, fifty miles to the northeast.

In the decade prior to the Civil War, arguments often were terminated with sword or gun. Something of this sort may have happened to young Milt Faver. Authentic information has it that he thought he had wounded a man fatally and fled from his home state making his way to California, then to Mexico, and finally back into the United States through unmapped and remote west Texas.

Faver may have packed a gun or officer's sword in the American-Mexican War. This is not clear, but it is known that he was a freighter-trader from central Mexico to Ojinaga on the Rio Grande and to Presidio on the Texas side of the river.

His achievements in the Big Bend country indicate that he was a young man of vision, without which he might



Tower at the southwest corner, probably Cienega, although this could possibly be Cienega's twin, Cibolo.

exas country were nestled three forts,

gainst the murderous bands of Indians.

Founder of a Kingdom

SCOBEE

the Author

never have attained historical fame. He had a fine sense of opportunity. Preparing to settle, he shrewdly chose the sites containing water springs and started ranch settlements that made him the first cowman in the vast and empty land of mountains and valleys and barren ridges. It is estimated that at the height of his fortune he had 20,000 cattle running wherever there was grass. He had sheep, too, although that has been overlooked by the writing brotherhood. He was a dealer in wool along the Rio Grande.

It was his choice of locations, the land around the lush, flowing springs, that aroused the Indians against him—Mescalero Apaches for the most part. They resented the white intruder on their age-long camping sites.

Faver had permanent settlements in five places, including three that are still known in the area: Cienega (marshland in Spanish), Cibolo (buffalo), and El Morita (the mulberry).

Cienega is seven miles east of Shafter, a mining town (now deserted) established in the 1880's, and forty miles or so south of Marfa. Cibolo is four miles north of Shafter. El Morita, the main sheep ranch, is three miles or so below Cienega, toward the Rio Grande.

At Cienega and Cibolo, for the protection of his kingdom and his unnumbered Mexican retainers, Faver built thick-walled adobe forts with lookout towers at Cienega, and probably also at Cibolo.

Troops at the frontier army post of Fort Davis were everlastingly on the prowl for marauding Indians. That they had friendly touch with Don Milton—as the Mexican folk titled their respected patron—is revealed in old-time military data. These show that army forage was stored at Cibolo, which was on the most direct road from Davis to Presidio, for the convenience of cavalry and wagoneers. Further, it is known that Faver had "small cannon" supplied by the army. They must have been small indeed, perhaps only two feet or so in length like ancient Spanish cannon, as Fort Davis never was an artillery post with heavy guns.

These contacts with the soldiers discount any assumptions that Faver was either a recluse or a hiding fugitive.

FOR THIRTY-EIGHT years the Cienega fort has been the ranch home of Hart M. Greenwood and his wife. It is from them that the present writer obtained information that so far as is known had never seen print.

Amy Greenwood's grandparents, Mr. and Mrs. John A. Pool, came from Missouri and set up cattle ranching at the Chiniti Mountains, near Cibolo, in 1885. Soon they heard of a neighbor and rode across the hills horseback to get acquainted. When they dismounted at Cienega, Pool and the man who greeted them stared at each other amazedly, then:

"Milton!"

"John!"

They had been neighbors in Missouri

(Continued on page 52)

The Battle of 100 Slain

A top authority on the Indian wars probes the Fetterman massacre and comes up with some startling new conclusions on who was really to blame for the blot on the Army's record

By BILL JUDGE

THE BERDASH, half-man and half-woman, rode back over the hill to where the chiefs were waiting. He announced, "I have ten men, five in each hand. Do you want them?"

The assembled chiefs refused his offer, saying their followers were too many to be interested in such small numbers. Behind the chiefs were three tribes of Sioux, lined abreast in battle formation. To one side were the Cheyennes and Arapahoes. They were invited guests, but as yet had not decided on their future course of action.

The berdash, dressed in woman's clothing, wearing a black cloth over his head, left the presence of the chiefs to again ride over the hill in search of a sufficient number of soldiers to be acceptable to the heads of the tribes.

Twice more he made his appearance, offering first twenty, then fifty men. Each time his bid was refused with the statement that they were too few to be worthy of the attention of so vast an assembly of warriors.

The berdash made his fourth foray over the hill. He announced his return

with twitterings on a bone whistle. This time he dismounted to offer 100 men for their attention. This number was what the assembled chiefs and warriors had been awaiting. Even the Cheyennes and Arapahoes joined in the following council of war to make plans for the "Battle of 100 Slain," as the Fetterman disaster was thereafter known among the Indians.

In the standard, stereotyped story of the Fetterman disaster, we are told that Captain William J. Fetterman, under the influence of Captain Frederick H. Brown, deliberately sacrificed the lives of seventy-nine men to advance his own selfish interests and personal ambition.

Captains Fetterman and Brown were killed in the battle. They have naturally been unable to answer the accusations. In the interests of fair play, the complete Fetterman story should be reviewed.

THE STORY began on December 6, 1866. On that date, a wood train left Fort Kearny for the woodcutting camp on the North Piney. Soon a signal was received from Pilot Hill that the wagons were surrounded by Indians and needed help. Colonel Carrington quickly planned a pincer movement to trap and punish the Indians.

Fetterman was placed in command of the stronger driving arm of the relief party, composed of cavalry and mounted infantry. His orders were to relieve the wood train and drive the Indians back over Lodge Pole Ridge.

Carrington, Lieutenant Grummond and thirty mounted men were to go beyond the ridge to attack the Indians from the rear, cutting off any chance of escape.

This fight of December 6 is the battle usually referred to by historians as the battle in which Fetterman had to be rescued by Colonel Carrington. However, it was not Fetterman that Carrington had to rescue but Grummond, who with three enlisted men had been cornered by the Indians. In this fight, Lieutenant Bingham, Sergeant Bowers and a private were killed.

In his report, Carrington had this to say of Captain Fetterman: "He knew little of the country, but carried out his instructions promptly. Captain Brown greatly contributed to the success of Captain Fetterman's movements." Fetterman said after this battle that he would never again doubt the fighting ability of the Indian.

Fetterman, senior officer of the Second Battalion, Eighteenth U.S. Infantry, had arrived at Fort Kearny in November. He was made commanding officer of Company A and was well-liked by his fellow officers and respected by the men under his command. Few of Fetterman's fellow officers or his men blamed him exclusively for the disaster bearing his name.

One of his men reported, in reference to the statement so often attributed to Fetterman, that he could take eighty men and ride through the entire Sioux nation. "Sure he said it, but every officer and enlisted man in the garrison

"The cavalry tried to fight their way back to the infantry . . ."

Denver Public Library Western Collection Photos

Spencer Rifle Photo from the West Point Museum

Illustrated by Ben Carlton Mead

said the same thing, and furthermore, they believed it." This remark was not original with Fetterman, as has been implied, for it had been linked a decade earlier with the name of Lieutenant Grattan, killed by the Sioux nine miles east of Fort Laramie.

Captain Frederick H. Brown was the second officer much blamed for the disaster that happened on December 21. Brown, member of the First Battalion with headquarters at Fort Laramie, arrived at Fort Kearny prior to September 25, for on that date he was cited for his part in an action against the Indians. Carrington called him an able and experienced officer, familiar with the terrain around Fort Kearny. He was in charge of the quartermaster department prior to December 6. Carrington stated that he had been relieved of his duties on that date and was closing out the papers while awaiting transportation and escort back to his battalion in Fort Laramie.

The teamster who volunteered to drive the ammunition wagon accompanying Ten Eyck's relief force had this to say of Brown. "My reason for wanting to go was because of the fact that Captain Brown was with Fetterman and I was concerned for his safety. Captain Brown had been a wonderful friend to me—was in fact, the whitest man I had ever worked for, and while I was not a fighting man, I would have gone to any length to assist him."

Again on December 19 the familiar signal went up from the picket on Pilot Hill: "Wagon train under attack, need help." This time Captain Powell was put in charge of the rescue party with orders to drive the Indians toward Lodge Pole Ridge and to return with the wood train. Upon his return to the fort, Powell reported that he had seen large numbers of Indians, and that if he had gone beyond the ridge, he probably would not have returned. Carrington later cast doubt upon the veracity of this report, but it checks with the Indians' reconnaissance of the battleground and the performance by the berdash.

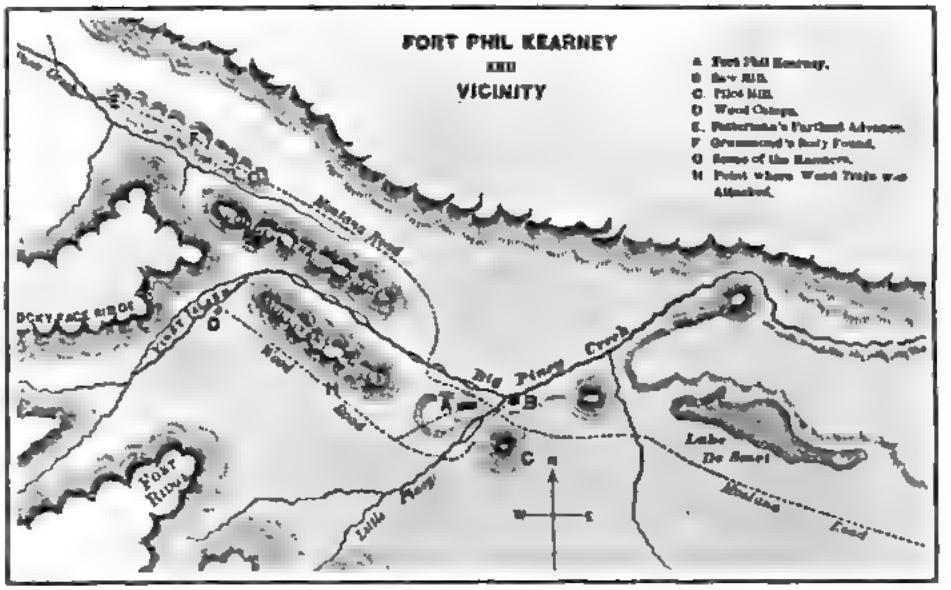
One thing is readily apparent in the study of the situation at Fort Kearny. Colonel Carrington was not consistent in his attitude toward his subordinates. Before the disaster he cited and commended them; afterward, he continually cast suspicion upon them.

DECEMBER 21, the shortest day of the year and the first day of winter, dawned bright and clear. The fort had been experiencing heavy snows and zero weather but the morning of the twenty-first was relatively warm. The daily wood train departed later than usual; it was the last train of the winter and for that reason was larger, accompanied by more than fifty men. The train had progressed about a mile-and-a-half up the valley of the South Piney before the picket on Pilot Hill signaled the fort that it was corralled and being threatened by numerous Indians on Sullivant Hill. This occurred at approximately 11 a.m.

Shortly after the warning, forty-nine men and two officers of the infantry and twenty-seven men and one officer of the cavalry were ready to go to their relief. Captain Brown was again a member of the relief party. Two civilians, James Wheatley and Isaac Fisher, employees of the quartermaster department, accompanied the expedition.

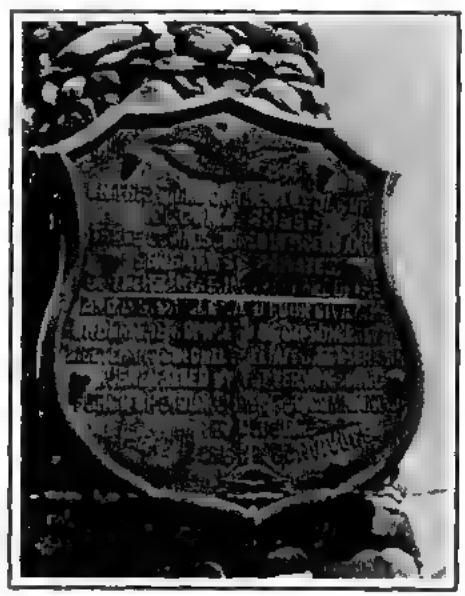
Wheatley and Fisher owned new sixteen shot, Henry repeating rifles and were anxious to try these arms out on

Charles Schreyvogel's "Tomahawk and Saber."

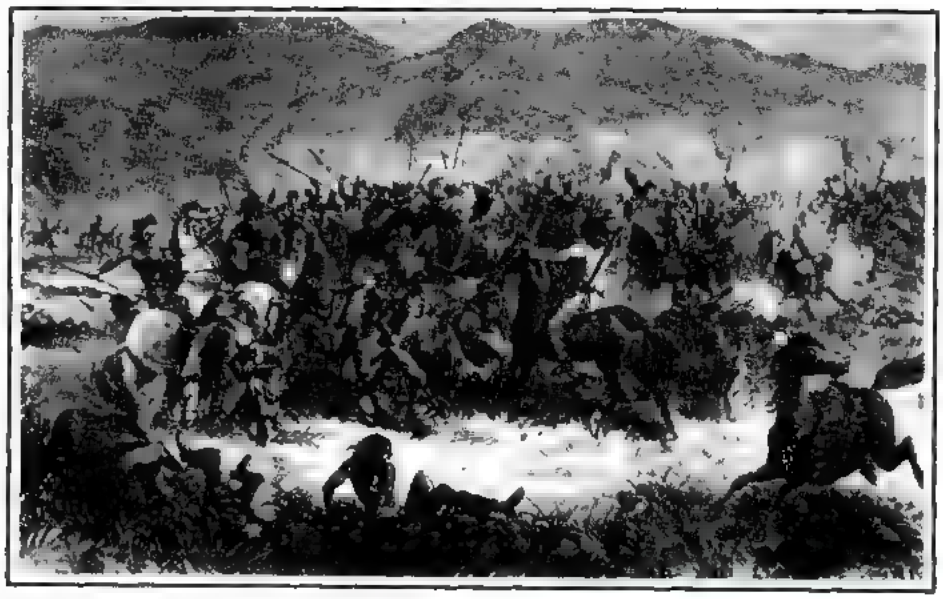


Above, map done in 1866 (artist unknown) showing the vicinity of the Fetterman fight. Below, an old model cavalry Spencer.

View of the countryside surrounding Fetterman Hill.



Above, left, Colonel Henry B. Carrington. Above, right, monument at the battle site. Below, "The Indian battle and massacre near Fort Philip Kearny" as depicted in a March, 1867, HARPER'S WEEKLY.



Indians. They were considered valuable additions to the party. Although he acknowledged the presence of Wheatley and Fisher, Carrington said later that Brown accompanied the expedition without his knowledge or consent.

This seems a little hard to believe, for after the fight on December 6, Carrington reported, "Captain Brown *went with some quartermaster employees.* He had been relieved as quartermaster and was closing his papers; but *as was his custom* when responsible for the trains, watched them closely." To accompany the detail, Brown borrowed the pet paint pony of the Carrington children.

Carrington stated that the original relief expedition was to have been composed of cavalry, whose horses were already saddled, under the command of Captain Powell.

Fetterman then personally requested command of the detail be given him, by reason of his seniority. The Colonel acceded to his request, but changed the personnel of the detail from all cavalry to combined infantry and cavalry. One of the enlisted men said that the detail was ready to leave when Fetterman requested the command and that the reason for the request was that Fetterman's own Company A formed a good part of the detail.

Lieutenant Grummond asked for and received command of the cavalry detachment. Grummond had a rash disposition, so a portion of the detail change to infantry would have been no reflection upon the character of Fetterman. He was still trustworthy in all reports prior to the action on December 21.

The request of command was only natural and a refusal would have been an affront to Fetterman and his rank. He was the ranking officer of the Second Battalion; Powell was the junior officer. Powell had commanded a similar mission only two days previously while Fetterman had not commanded one since December 6 (at least none are on record). It was his turn by rotation of duty of this type.

THE MOST controversial event before the departure of the expedition from the fort was the wording of Fetterman's orders and the methods of delivery. Carrington stated that he issued both written and oral orders (the exact wording of Fetterman's orders, method of delivery and the number of times they were repeated are important because of the aftermath of accusations that followed Fetterman's defeat). There is no record that Fetterman questioned or misunderstood them. They are important as proof that his superior officer was doing his duty and not responsible for Fetterman's subsequent actions.

If there were extra precautionary words or warnings spoken by the Colonel they should have been said at the time he handed the command over to Fetterman.

The detail was formed in front of the A Company barracks, which were to the west and at a right angle to the headquarters building. The infantry under the immediate command of Fetterman marched on the double out of the small west gate behind the enlisted men's quarters. The cavalry turned right to the stables in the large corral joining the main fort to secure their horses. They departed by the south, or mill, gate, catching up with the infantry as it climbed the slope of Sullivant Hill directly to the west.

The Senate document, originating from the records and reports of Colonel Carrington, states that the Colonel ran across

the parade ground, climbed a sentry platform and shouted after Fetterman, who was already outside the fort, "Under no circumstances cross Lodge Pole Ridge!" Carrington said that he halted the cavalry to repeat those words. One eye-witness to the departure of Fetterman said that he heard the shouted orders to the departing Fetterman, but the words that he reported do not match those of Carrington's. Another witness to the departure was more emphatic in saying that it did not happen and justified his denial by the distances of the various locations said to be involved in the incident.

Colonel Carrington further stated that written orders were read by the acting adjutant, Lieutenant Wands, to Fetterman and his entire command prior to their departure.

After Grummond had left for the stables, Wands was sent to him to warn him to obey orders and not leave Fetterman. In the Senate document it states that Grummond was asked to relay the orders to Fetterman.

Here is a fine point for debate. If the orders were read by the officer of the day to the officers and men when they were assembled, why was it necessary to read them again to Grummond and ask him to repeat them to Captain Fetterman? Could it be that they were overlooked at the time of assembly, making it necessary for Carrington to run after Fetterman and shout the orders to him? And, again, did Wands chase Grummond to the corral to read them and ask him to repeat them to Captain Fetterman in case Carrington did not intercept Fetterman?

The written orders were, in all probability, the standard orders of the day, read to all officers commanding expeditions of this type. There simply wasn't time for the cutting of special orders and submission of them through the customary channels.

The special written orders to Fetterman on this occasion were: "Support the wood train, relieve it and report to me. Do not engage or pursue the Indians at its expense (wood train) under no circumstances pursue the Indians over the ridge (Lodge Pole Ridge) as per map in your possession."

This last reference to a map is almost an over-emphasis. It alters the general orders of the day into personal written orders to Fetterman. Fetterman had been over this same route only two weeks before. In addition, Brown—said by Carrington to be familiar with the terrain—two civilian employees and numerous enlisted men who knew the route, were with him. The orders read as if they were written for posterity and the record, rather than being standard orders issued at the time of the assignment.

At approximately 11:30, the picket on Pilot Hill signaled that the wood train was moving on to the woodcutting camp. The pressure on the wood train had been relieved, but where was Fetterman?

FOR WHAT really happened after Captain Fetterman disappeared over the brow of Sullivant Hill, we must depend upon accounts by the Indians. These appear to ring true and, what is important, dovetail with statements made by enlisted men as to the sequence of operations that were to follow.

The cavalry had charged the Indians, who retreated toward the North Piney and up the narrow valley toward Peno Creek. The cavalry made no attempt to follow, but waited for the infantry to come up. The Indians made an attack on the combined force, and this time the entire command followed them. There was not at any time any headlong or impulsive pursuit of the fleeing decoys.

The cavalry and infantry proceeded, a closely knit unit, at a pace matched to that of the infantry.

In the preview before the disaster, in which the berdash had been the star performer, ten men had been selected as decoys, two each from the three Sioux tribes, the Cheyennes and the Arapahoes. Among the Indians selected was the young Sioux, Crazy Horse, then becoming known for his qualities of leadership. Another chosen was Big Nose, the brother of the future Cheyenne war chief, Little Wolf. Big Nose was probably the leader, although Crazy Horse played a prominent part.

While only ten men had been selected as official decoys, several times that number were seen in the vicinity of the fort. A howitzer shot flushed thirty Indians out of the brush where the Bozeman Trail crosses the Big Piney below the fort. Others were seen along the creek and hills north of the fort. Then, too, there were the numerous Indians reported threatening the wood train. It is fairly safe to assume that the ten official decoys directed the efforts of all the Indians in the vicinity of the fort and wood train.

According to the Indians' story, it was very difficult to keep Fetterman interested in following them. It would seem that Fetterman had some intention of following orders but the Indians would not allow it. At one time, to show his indifference to the presence of the soldiers Crazy Horse built a fire to warm himself.

Whenever the detail seemed reluctant to follow, the Indians would again assume the offensive. There were four separate and distinct volleys and much random fire before Fetterman reached the site of the final struggle.

It is all very well to say Fetterman was new to the West, that an experienced fighter would not have been fooled by the Indian decoys. But Fetterman was in a dilemma. He had been ordered to relieve the wood train—which he had done. With the Indians stubbornly harassing him, he had no assurance that they would not immediately re-attack the wood train if he withdrew his forces.

The wood train had not returned to the fort, but had gone on to the wood camp and was still vulnerable. Many frontiersmen state that Indians interpreted any withdrawal as a sign of weakness and invariably renewed their attack —just as they were doing to Fetterman when they saw signs of hesitation.

Lodge Pole Ridge formed a very crude triangle with its base toward Fort Kearny. The North Piney lined two sides of the triangle—the west and south sides.

Fetterman drove the Indians up the west side of the triangle, cut through the ridge at the intersection of a small valley to the Bozeman Trail, which marked the east side of the triangle, probably intending to take the trail back to the fort. He had not yet exceeded his orders and this route seems to have been popular with other missions when driving the Indians back over the Lodge Pole Ridge attack route.

The Bozeman Trail, after it intersects the small valley, passes on over the divide between the Piney and Peno Creeks via a shallow dip. In this dip the Cheyenne decoy, Big Nose, waited for the Fetterman detail. He put on quite an act, pretending to be defending something on the other side of the ridge.

Either his ruse succeeded, or Fetterman just wished to be able to report that he had scouted as far as Powell had done two days before. In either event, he passed over the crown of the ridge and halted his men just below the summit. In doing this, he exceeded his orders and made his first big mistake.

IT WAS STATED in the reports that this position on the ridge was five miles from the fort and an equal distance from the wood camp. Fetterman had relieved the wood train a mile-and-a-half from the fort at 11:30, yet official reports place him five miles from the wood train and over the divide at twelve noon. The rate of march from the fort to the wood train was approximately four miles an hour over terrain rough with rocks, trees, brush and a winding trail. Carrington said there was a foot of snow in areas containing trees and brush. In addition, Fetterman had engaged in four skirmishes with Indians and his men had forded the North Piney. To do this it was necessary to remove footgear to avoid freezing their feet as a result of wet shoes and socks.

The same rate of speed that Fetterman used to the relief of the wood train, four miles an hour, would have placed him over the summit of the divide at 12:45. However, due to the difficulties of the road and the skirmishes before his arrival, Fetterman probably arrived at that location close to 1:30 p.m. (an hour and a half after the time given by Colonel Carrington).

So at approximately 1:30 p.m. Fetterman and his men paused below the summit of the divide to study the valley of Peno Creek.

When they started again, the cavalry followed closely on the heels of Big Nose and the other decoys. They advanced a mile-and-a-half to Peno Creek and the infantry marched a half mile forward to a small plateau on the west side of the hogback that runs from the divide into the valley.

After the battle of December 6, Lieutenant Grummond, when asked about his part in the fight, said that he had closed his eyes, charged and swung his saber. Before the mission Carrington had especially warned Grummond to remain with Fetterman. During the other skirmishes Grummond had followed orders and carefully remained in close contact with the infantry; this time he did not and the mistake was fatal.

Hidden on the west side of the trail were the Cheyennes and the Arapahoes. On the right, or east, were the mounted Sioux. Down in the meadow, in the long grass between the creek and the foot of the hogback, lay the Sioux infantry and women.

When the cavalry started after the decoys, Fetterman attempted to consolidate his command by following. He had advanced as far as the plateau when the Indians cut his retreat route to the fort and surrounded him on all sides.

The Sioux infantry immediately closed with the cavalry and the most bitter fighting of the battle followed. The cavalry held its formation and fought its way clear. Grummond was killed in this opening struggle; his body was found there the next day. The first night his body could not be found and his wife at the fort did not know whether he had been killed or taken prisoner.

Captain Brown was with the cavalry and assumed the command. It must be

(Continued on page 58)

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Fifth in a Series— Backgrounds of Famous Western Badmen

Doc Holliday

By JOHN CARSON

Ed Bartholomew Photo

IT WASN'T his background that made Doc Holliday what he was; he became what he was in spite of it. The mother of the notorious gunfighter was Alice Jane McKey, a beautiful, refined South Carolinian from whom John Henry would inherit his blonde hair, his refinement and, on occasion, his alias. He would become known in Cheyenne and Denver as Tom McKey long before his fame as Doc Holliday.

Alice was born in 1829 and moved a few years later with her family to a farm near Griffin, Georgia. When she was twenty, she married Henry Holliday, nine years her senior, a well-educated Southerner with a straightforward manner and a violent temper. From him Doc would inherit the manner and the temper.

Henry Holliday served in the Mexican War as a commissioned officer with a volunteer infantry company from Georgia. After the war he settled near Griffin and became, in a short time, mayor of the town and a man of considerable means.

The first child born to Alice Jane and Henry was a little girl who died before she was a year old. It is not known exactly when John Henry was born, but it was probably during the winter of 1851-52. He remained the only child.

Like Clay Allison's of Tennessee, John Henry's boyhood was full of talk of secession, abolition and Yankees.

Georgia, following the lead of her sister states, seceded in 1861. Once again Henry Holliday donned a uniform, this time as a captain in Confederate gray. He served gallantly but was discharged before the end of hostilities because his health was broken. At forty-three, he looked sixty.

His businesses had failed but he still owned some property and was far from being poverty-stricken. His fortune at this time approximated $20,000. However, it was sifting away and he decided to move to Valdosta, where he had other interests. Major Holliday, sick though he was, became a leading citizen of the growing town. A street was named for him.

Here John Henry received his education or at least some of it. When he was about fifteen, his mother died. He had always been especially close to the gentle Alice, partly because of the continued absence of the major but mostly because both he and his mother were usually on the defensive against the major's violent outbursts, made more frequent by his illness and the lost fortune.

In 1867 the major remarried. Not much information has come down about John's stepmother, but it is a certainty that she did not fill the vacancy left by the death of the beloved mother of the boy.

JOHN LIVED a good social life in Valdosta. Thin, about five-feet-ten, blue-eyed and blond, young Holliday gave no hint of the disease which would one day take his life.

He studied dentistry in Baltimore and no doubt would have been completely successful in that profession had not two things combined to change his life—his naturally restless nature and the onslaught of tuberculosis. In school John had learned to play cards—to manipulate them rather, because Doc never "played" cards in his life. Gambling was to become his profession, and he was destined to be as eminent in that as his father had hoped he would be in dentistry.

He hung up his shingle in Atlanta but his illness already had such a hold he hardly knew a painless day. Finally the young doctor turned his face to the West, first to New Orleans, then on to Texas.

Although he tried to practice, more and more time was spent in the saloons. Soon only liquor and more liquor could

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The Maxwell flour mill. The Indians are gathered to receive rations.

Lucien Maxwell's great kingdom encompassed most of New Mexico. He ruled it happily, spreading around him an aura of peace and luxury unequaled in the history of the state until gold-hunters and lawsuits combined to wreck his fortune and ravage the beautiful land he loved so well.

Maxwell Empire

By GEORGE D. WOLFE

University of New Mexico Archives Photos

Fort Sumner Photos from the National Archives

ON A winter morning early in 1841 an aide of General Manuel Amijo entered the governor's office at Santa Fe, saluted smartly, and placed before that official a sheaf of papers. Amijo studied the papers with great interest. It was a petition for a grant of land in what is now eastern New Mexico and southern Colorado. The paper was expertly drawn up and most persuasive, written in impeccable Spanish script apparently by a scholar and lawyer.

Amijo noted that the paper was signed by Guadalupe Miranda, Departmental Secretary of the Mexican Government in Santa Fe. Miranda rated high, both with Governor Amijo and the U.S. consular authorities in Santa Fe. The other petitioner was Don Carlos Beaubien of Taos, a lawyer of means, education and gentility. He too stood in good favor with the authorities in Santa Fe.

As a clincher, Amijo noted that the petitioners stated that the purpose of the grant was to encourage colonizing and building up the economy of the region, setting out what steps would be taken, the procedure to be followed and certifying to their means for carrying forward the plan.

The more the governor studied the petition the more it took on favor in his eyes. He reached for his quill, endorsed it, and placed upon it the royal seal of the Mexican government. A short time later Don Cornelio Vijil, Justice of the Peace at Taos, issued to the petitioners a writ of possession and order of execution for the grant.

By this act one of the most fabulous empires of its day came into being. Its immensity and inherent wealth were never really understood by either Beaubien or Miranda. Although the original owners let their vast holdings "go for a song," the Empire lived on and affected the lives and destinies of thousands of people. Endless lawsuits—even the creation of special courts and congressional committees—were entailed in its settlement and a bitter contention that affected the highest offices in the land and sparked

the rebellion at Taos grew out of it. Personal feuds lingered on for generations.

Lucien B. Maxwell was born in Kaskaskia, Illinois, September 14, 1818, the son of Hugh Maxwell, a native of Dublin, Ireland, who had emigrated to America in 1799. In Illinois he met and married Marie Menard. Their son, Lucien, heard the call of the West at an early age and soon was making treks into the wilderness beyond the Mississippi. He became an expert hunter, wanderer and guide, and his early years were filled with adventures.

On two occasions John C. Fremont requested Lucien's services in exploration. Maxwell was a boon companion of Kit Carson, served under the Bents at their famous fort and knew a great many of the famous army men and explorers who first opened the West.

Moreover, Maxwell was unusually well-educated for his day. Almost six feet tall, he was well built and had a fair complexion, blue eyes and brown curly hair. He was dignified and silent and when he spoke, it was for a purpose. He did not indulge in horse-play and the common vulgarities and never boasted of his exploits. He was most reticent as to his personal life. He could be severe but fundamentally he was of a sympathetic nature, as time was to prove.

In Taos, New Mexico, in 1841, he met the charming daughter of Don Carlos Beaubien. Her name was Luz and she was exceedingly pretty. L.B.M., as he was affectionately called, won her and they were married. Don Carlos' son and heir had been killed in the Taos uprising so, beset by financial difficulties and ill-health, he turned over the holdings to his son-in-law in whom he had full confidence.

In 1847 Maxwell erected some buildings at Rayado, which at that time was a military post. Here, also, his good friend Kit Carson settled.

But Maxwell was attracted to the Cimarron country. In view of the fact that his family was growing, he wanted a permanent home of his own choice and decided to make his main efforts at construction at the place now known as Cimarron. Here he built a fine residence, a stone flour mill, stables and corrals. A wide area of choice land was fenced and he began raising cattle, sheep and various crops.

The grist mill with its thick stone walls and the marvelous machinery which made flour was a marvel to the Ute and Apache Indians who had their headquarters near the Maxwell ranch. These Indians often suffered for lack of supplies. L.B.M. took them under his wing, championing their griefs and looking out for their interests. He furnished them with supplies when he could. In turn the Utes and Apaches protected his ranch from raids by other tribes.

THIS PERIOD, from 1848-1868, was the really happy period of his life. His enterprises prospered; his devoted wife, Luz, presented him with six beautiful children, five girls and one boy. Three other children died in infancy. L.B.M. took great pride in his family. His only son, Peter Menard, was his father's pet. Maxwell wanted him to eventually manage his affairs, but time was to change their relationship. Pete had no interest in business or politics. In his latter days L.B.M. expressed outright contempt for his son. Pete was born April 27, 1848, and died at Fort Sumner, June 21, 1898. Easy-going and good-natured, he made little money and no

Fort Sumner, New Mexico, circa 1880.

enemies but plenty of friends. It was his destiny to be present at the death of Billy the Kid at the hand of Pat Garrett.

L.B.M. spoke Spanish fluently and wrote it with equal ease. However he kept no diary, as few records as possible, and had a positive antipathy toward bookkeeping. His ill-fortune in some of his investments was later attributed to this failing. Especially benevolent toward the Penitentes, a religious sect who lacerated their own bodies as a part of their belief, Maxwell sent food, medicine, and bandages to heal their hurts on their days of atonement. All work on the ranch ceased when these people were going through their religious rites.

During the days of peace and industry, Maxwell often would walk barefoot over some of his holdings in the cool of the evening, talking with his employees and tenants about the prices of wool, the best crops suitable for certain sections, the branding of calves and other ways and means to build up the section. His primary interests lay close to mother earth, the stock, the ranges, the people of the Cimarron country. Once he plunged into the fog of high finance, the devious dealing of politicians, land speculators, crooked government officials and two-tongued lawyers, he lost the even tempo of his ways. He first became angered, then bewildered, and finally discouraged.

By 1870 the prosperity he enjoyed began to change. The discovery of gold in the Moreno valley—gold which Maxwell knew of and from which he had gathered nuggets to give to his children for playthings—brought hordes of prospectors to his land, digging his gold and flatly refusing to pay any royalties whatever.

They defied Maxwell, not only taking the gold but bringing lawsuits against him to prove the land was not really his. High financiers in both New York and

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The old Maxwell house at Cimarron, New Mexico.

OTE FORD DON'T LIKE THEM-THAR BIG CITIES

WHAT GOT TWENTY-THUTTY PEOPLE ALL CROWDED UP IN 'EM.

HIS HOMETOWN IS GRANITE, OREGON . . . .

A Town Just BIG Enough for One!

By BRUCE M. WILKINSON

AN AGED MAN in a lonely little collection of ramshackle wooden buildings perched on a hill deep within the Blue Mountains of Grant County, Oregon, has become proprietor of the smallest incorporated town in America.

The town is Granite, population one, located forty-five miles west of Baker and fifteen miles northwest of Sumpter, once the largest and most famous center of the then prosperous Eastern Oregon gold fields.

Isolated geographically from the rest of Grant County and inaccessible four or five months of the year except by snow cat, the once virile gold-mining camp still has a vestige of city government even though its last industry of any size—the "boat" (gold dredge)—pulled out in 1951.

This is so not because of any particularly logical reason or demand but simply because Otis Ford wants it that way.

The eighteenth decennial census of the United States, taken April 1, 1960, credited Granite with three people (there were forty in 1950 when the town was the second smallest in Oregon). At that time, in addition to Ford, a resident there off-and-on since June 6, 1886, there were two other bachelors living in Granite.

One of these men, Albert Paulsen, the former mayor, hanged himself late in April of 1960 and the other, Cliff Rasmussen, a hard-luck prospector, shortly thereafter transferred the base for his meager mining endeavors to a cabin on Ten Cent Creek, three and one-half miles into the hills from Granite. There he leads a less socially-encumbered life than the one he knew as a resident of the town itself.

Thus the town which once served as the outfitting headquarters for some 1,200 people in the extensive Granite-Greenhorn quartz, placer and sheep-grazing district is reduced to a population of one.

Of course there are other people who hang their hats there in the summertime but, with one exception, they don't count—at least not in Ote Ford's book and since Ote is the active city treasurer and de facto government, his is the only book that matters.

The only man recognized by Ote is Albert J. Perard, whom Ote chose to succeed Paulsen as mayor. Perard, seventy-three, was a partner with W. S. Walling in a clothing and stationery store in Granite from 1934 to 1941 and served as postmaster the last four years before the War. Although he claims citizenship, he is not a permanent resident, leaving with the birds each fall for a gentler clime—San Diego, California, in recent years—and returning after the three- to five-foot winter snowfall has as least partially melted.

Two other near-natives, Mr. and Mrs. Norman Myers (the former being Ote's nephew) could put up a pretty good argument that they are genuine Granite citizens. Norman has made the place his home much of the time since the winter of 1917 when, at the adventurous age of four months, he made an eight-hour trip with his parents over the mountain from Sumpter to Granite lashed to a bodsled.

However, because he and his wife Loraine don't stay all year—or perhaps because Norman has never been connected with the government—Ote has not seen fit to confer Granite citizenship on the couple. Once Norman indicated to Ote that it would be all right with him if Ote wanted to turn them in as residents. thinking the "town" could derive a little additional revenue thereby, but Ote made some sort of noncommittal grunt and that is as far as the request ever got.

So even though Granite may be battered and run-down and near the point of extinction, becoming a citizen there presents problems not as easily surmounted as might be supposed.

FORD RUNS a careful government (as any rock-ribbed Republican should) and although he no longer finds time to be bothered with such formalities as elections or council meetings (the latter impossible anyway in the absence of a quorum), he apparently sees to it that the city's coffers are properly enriched when such steady revenue producers as the state highway and liquor apportionments come in. Some recent individual payments were for amounts like ten cents, sixteen cents and a more substantial $1.25—all based on population.

Granite has a self-service water supply for which all users are supposed to pay $1.00 a month. Payments are sporadic but Ote's administration—presumably the last unless his nephew should some day decide to take up where Ote leaves off—has enjoyed something of a real estate boom the last several years. In 1960 he sold at least six 100 x 200 foot lots at the going price of $10 each. This unexpected windfall helped Ote add considerably to the town's checking account in the Baker Branch of the U.S. National Bank of Portland, which boasted $899.54 recently.

Despite years of being alone for much of the time, Ote is friendly to strangers who come to see what life is like in one of America's queerest towns but he doesn't hesitate to let the Democrats have it with both barrels whenever a chance arises. Ote confided to me that he didn't see "how the hell you can make a living in Baker" without being one—which he certainly wouldn't.

While characterizing himself as a "long-line skinner"—which he used to be in the Pendleton country where he worked seasonally—the old man still has an appreciative eye for something besides horses, namely shapely ladies, especially the variety found portrayed in certain men's magazines. Several artistic samples, some a little the worse for wear, adorn the otherwise uninspiring walls of Ote's one-room log abode.

Asked why he bothered to keep the town government going, Ote replied, not without some indignation, "What would you do?" He quickly added he didn't see any reason for the newspapers "to go to advocatin'" any change in Granite's status, either.

Although Ote and his town are isolated, mail service three times a week is still maintained during the warmer season and from November 1 to May 1 snow cats come in once or twice a week on their way to the small power dam ten miles beyond Granite at Olive Lake and to the Buffalo Gold Mine, the only active gold mine in the State of Oregon, six miles north of Granite.

Like most of his fellow men, though, Ote has his detractors. Mrs. J. J. (Bertha) O'Dair, now of Baker, lived in Granite thirty-three years. But in 1941 her husband died and in April, 1943, she bade the town a tearful farewell. As she was leaving her home across the steeply inclined street from Ford's residence, the telephone pole beside the house toppled over. She recalls Ote made some sort of comment bleakly linking this occurrence with her leaving.

(Continued on page 64)

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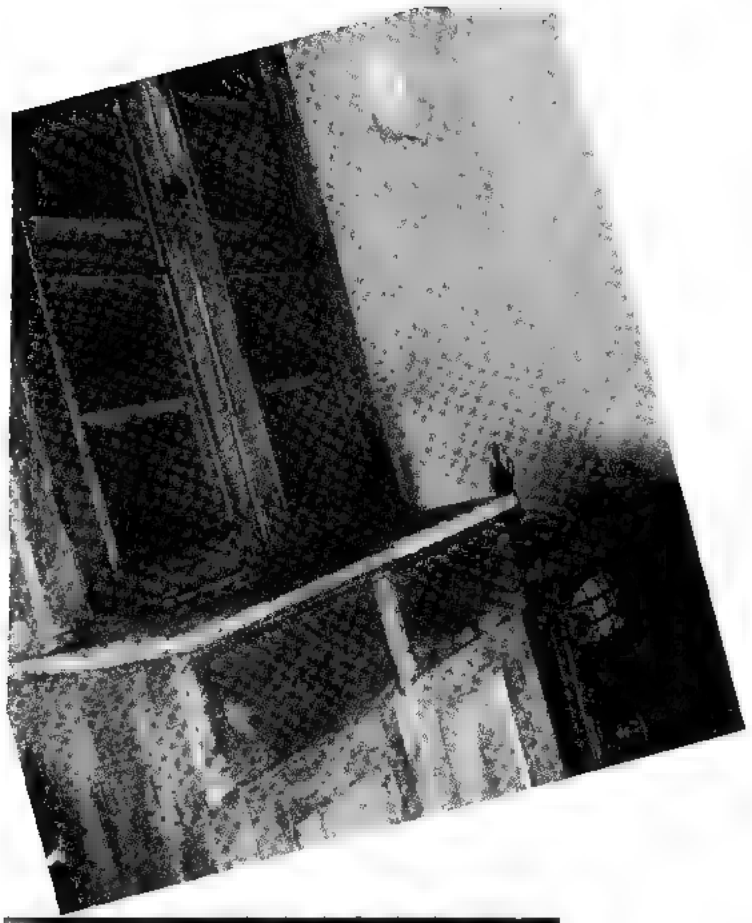
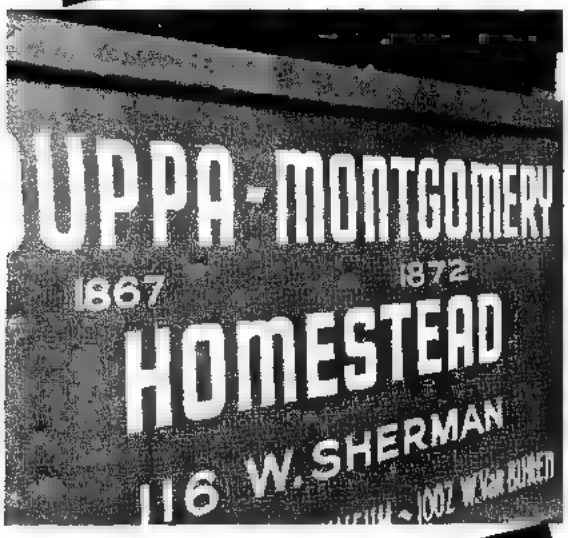
Above, left, Bertha O'Dair. Above, Ote Ford. Below, Granite, Oregon, as it looked in 1894.



For thousands of years the myth of a bird that died in flames and rose again from its own ashes has been told. Arizona Territory, traversed by many civilizations yet poised on the threshold of one completely new, reminded an English Lord of the ancient story.

THE MAN WHO NAMED PHOENIX

By M. V. MURPHY



"LET IT be Phoenix, gentlemen."

Darrel Duppa's cultured English accent sounded out of place among the coarse, rough-spoken conversation of his companions. But they were used to his being different and now only paid attention to what he said, not how he said it.

"Phoenix?" one of the canal diggers asked, "What's that mean? Don't sound to me like no name for a self-respectin' city."

"I'm pluggin' for Swilling or Stonewall," said another. "They make sense."

Duppa looked at the men lounging on the sunny bank of the Salt River in Arizona Territory. It was early spring of 1868 and these men, with their boss, Jack Swilling, were digging irrigation ditches to supply water for the new community.

"Phoenix has a good meaning," said Duppa and went on to explain the legend of the immortal bird who lived for 500

Top, left, a view of the interior of Duppa's old home. The drum on the right contains leather thongs used to reinforce the reed ceiling. Center, sign erected by the Arizona Museum outside the homestead. Bottom, left, unlike many reed ceilings, this one has not been invaded by insects. Below, the thirty-inch adobe walls and tiny windows make the house a delight in summer.

The two-room house has a door to each room although they are connected inside.

years and then was consumed by fire, only to rise in youthful vigor from its own ashes. He pointed to the ancient mounds all around them, and to the old canals they had found, the traces of which were still visible. Putting his hand on the shoulder of Jack Swilling, Duppa predicted, "A new city will rise phoenix-like upon the ruins of the old."

The boys looked toward Swilling. He nodded, and Phoenix it was.

Not long after, Swilling pushed his rapidly growing Swilling Irrigation Canal Company a few miles up the river, and called on Duppa to christen it. The beautiful valley between the dark buttes reminded Duppa of another vale in far off Thessaly, and Tempe was born. Phoenix and Tempe, strange names in a place where Skull Valley, Rattlesnake, Picket Post, and Teamster's Camp were routine.

But then Bryan Philip Darrel Duppa was hardly the typical frontiersman. As a matter of fact he was not even the typical Englishman of the Arizona Territory. Most of them were miners who came out of the British pits just long enough to travel to the new Southwest and go back into the earth. This man had a different air. He called himself "Lord" Duppa and nobody doubted that the title was genuine.

All through history, wherever the going is rough and living itself is a challenge, there has been a special breed of Englishmen, well-born wanderers laced with a longing for far-away places. Supported by monthly payments from family legacies, they are popularly known as "Remittance Men." Darrel Duppa was one of these.

Nowadays he would be called an odd-ball. A mixer and a recluse, a reveler and a scholar, connoisseur of liquor and of literature, he provided the diversion so necessary for balance in the perilous days of the new settlements.

The youngest of fourteen brothers and sisters, Duppa graduated from Cambridge University and rambled from Paris to Madrid, then to New Zealand by way of South America. Neither New Zealand nor Australia could hold him when reports of gold-for-the-seeking trickled in from the Arizona Territory. Most of all, it was the "for the seeking" that lured the thirty-year-old Englishman to the Southwest.

When he arrived in Prescott in 1863 he found Indians instead of gold. Duppa joined the settlers with all the spirit and raw courage of a pioneer. His neighbors knew little about the sometimes silent newcomer whom they liked so well. But in those days you told as much as you wanted and that was good enough.

From his legacy payments, Duppa could have lived in comfort while he passed the days leisurely prospecting, but money without adventure was not for him. He had his eye on the primitive stage station near New River along the present-day Black Canyon Highway between Phoenix and Prescott.

Stage stations were all pretty much alike, but the one at New River was different. Like its station master, it had many moods. Passengers were sometimes startled to find they had arrived during a boisterous binge, but the regulars on the route knew Duppa's check had come from England and the drinks were on him until the money was gone.

At other times Duppa would be found stretched on blankets piled on the dirt floor calmly reading Virgil, Ovid, Juvenal, or some other Latin classic in the original. He served the best dinners on the route, seasoning them with endless quotations from his private hero, William Shakespeare.

WHEN JACK SWILLING contracted to build the irrigation canals in the Salt River Valley, he recruited Duppa. Swilling knew he was getting a good worker—and a good drinking partner.

After his canal work was done, Duppa remained in Phoenix on 160 acres adjoining the townsite, which he later sold to James D. Miller for $3,000. Just part of this bloc was soon acquired by John B. Montgomery for $3,400 and within a few years, an even smaller piece was sold for $100,000. Luckily, Duppa was indifferent to money, or this financial beating would have been deeply discouraging.

For more than twenty years Duppa made his home with Dr. Oliver J. Thibodo, a former surgeon in the British merchant fleet who retired and became one of the first settlers in Phoenix.

To the census taker in 1870 Duppa

(Continued on page 48)

Above, left, Louis LaPlant, one of the men who conducted the freed Shetak captives from Fort Pierre to Fort Randall. Above, right, Martin Charger. Below, Fool Soldiers monument—the "migratory marker"—in Mobridge Riverside Park, Mobridge, South Dakota.

Fool Soldiers

By MILDRED FIELDER

South Dakota State Historical Society Photos

Louis LaPlant Photo from Adams Memorial Museum, Deadwood, South Dakota

All Sioux were not enemies of the white man. Martin Charger's little band were Good Samaritans of the prairies, rescuing white captives who had been taken during the bloody Santee uprising of 1862.

IN THE 1860's the Indians of the Great Plains were savage and bitter against the white men. Broken treaties had antagonized them and continued encroachment of their lands made the redmen suspicious of all whites. While it was true that some tribes living near military forts had become semi-peaceful, in most of the Indian lodges anger flared.

In 1862 the Santee Sioux lashed out at the white settlers in Minnesota and Dakota Territory. Colonel John Pattee, commander of troops in the Dakota country, wrote:

"About the last of August, 1862 . . . we received the news of the most terrible massacre that ever occurred in the United States. The Yellow Medicine Indian Agency was captured by Santee Indians in Minnesota. Five counties were depopulated and 800 white people were massacred in the most revolting and cruel manner. A number of women and children were made prisoners by the Indians. . . ."

Colonel Pattee conceded that the white agency in that area was responsible for the Indians' wrath. It might have been, but the deed was done. A few hundred of the Santee Sioux fled toward Dakota Territory, the majority of whom surrendered at Camp Release in Minnesota. Others continued up the Missouri River to a spot near the North Dakota border and the present town of Mobridge.

At that time boats plied the Missouri and Yellowstone Rivers, carrying miners from the Idaho gold strikes, military men, adventurers and others. Charles Galpin and a party of miners were moving down the river in November, 1862, and learned from a woman on the bank that Mrs. Wright and Mrs. Duly with six children were prisoners of the Santee Sioux camped nearby.

Galpin and his crew continued down the river. Fort Pierre, 100 miles distant, was the first stopping place, although the nearest troops were farther downstream at Fort Randall. Fort LaFramboise was only three miles northwest of Fort Pierre. Around both forts Indians congregated peacefully, waiting to be issued government rations and trading furs.

Galpin reached Fort Pierre November 17, 1862, and told his story to Charles Primeau, superior commandant in charge.

Among the interested listeners were a band of Teton Sioux, including young Martin Charger. Historical accounts do not all agree regarding the Indian group. Some say they were a Two Kettle band of Sioux, others say they were Sans Arc. It is possible they included members from both, as the Two Kettle and Sans Arc tribes lived close to each other near Forts Pierre and LaFramboise.

One of the leaders of the group is mentioned in some versions as Kills-and-Comes, but Martin Charger's son, Sam Charger, who later told of the incident, gave his name as Kills-Game-and-Comes-Back. Others in the party were Four Bears, Mad Bear, Pretty Bear, One Rib, Strikes Fire, Red Dog, Charging Dog, and Swift Bird—ten young Indian braves. What they did was unprecedented and unique in western history; they decided to rescue the white captives and free them.

Though white historians were amazed that Indians of that period should have done such a thing, Sam Charger explained it very simply in a later biography of his father.

ACCORDING TO Sam Charger, in 1860 Kills-Game-and-Comes-Back had a vision, or dream, which puzzled him. He conferred with Martin Charger about the dream, and both consulted wise men and close friends, with the result that the ten young Indian men formed a society which they called Fool Soldiers, the object of which was to help others with good and noble deeds whenever it was possible. With this objective in mind, the Fool Soldier band did all it could to bring peace between the whites and the Indian tribes.

When they heard of the white captives being held by the Santee Sioux, so closely related to their own Teton Sioux, the Fool Soldiers held a secret meeting. Charger advocated the organization should unite in their convictions and the captives should be liberated at all costs, thus putting into practice all that their organization stood for. With the danger confronting their Sioux tribe and their faith in Charger to find a way out of the situation, the Indians agreed to take his advice.

Later, white men said that the name Fool Soldiers came from that decision of the band but Sam Charger says it was their name from the time the society was organized, just as another Indian society might be named Artichoke Eaters or Broken Bow.

With Martin Charger and Kills-Game-and-Comes-Back leading them, the young Indians approached Charles Primeau and bought coffee and sugar, paying Primeau in furs. The negotiable material tucked safely in bags on their horses, they rode upriver to find the Santees and the eight captives, hoping to trade with the Santees for the prisoners.

It was a crazy thing to do in view of the existing hard feelings between red and white men; nevertheless, the Fool Soldiers met the Santees opposite the mouth of the Grand River. They took a day to parley and trade, then on November 20, one day after they reached the camp, they had the captives in their possession and started back downstream.

They arrived at Fort LaFramboise, then continued to Fort Pierre on November 24, where Primeau gave them "calico, cotton cloth and red flannel with which they clothed themselves quite comfortably."

Galpin had reached Fort Randall on the 19th with his story of the captives, and Colonel Pattee arrived there the 21st. Hearing of the situation, Colonel Pattee immediately began making preparations to take troops up the river to effect a rescue and started to move on the 26th. Pattee was entirely too late. On November 29, Pattee and his troops met the freed women and children traveling by wagon down the river trail about two miles north of Ponca Creek, with Frederick Dupree and Louis LaPlant. He was able to give an explicit account of their trials.

THE WOMEN and children had come from the Lake Shetak area in Minnesota, he said, and subsequently were called the Shetak captives. They included Mrs. Duly and two daughters, the oldest

(Continued on page 49)

Bodie, isolated high in the Sierra Nevadas, was a lawless center of rowdies and murderers until a secret citizenry began embossing the hoodlums with a telltale "6 0 1."

Vigilante 601

By HARRY LEAVITT

California State Library Photos

NEW YEAR'S EVE was the time and Bodie, California, the locale of a murder that brought into being the swiftest acting, most efficient vigilante committee that part of the West had ever seen. It was known only by the number "601."

Scores of men had been killed in Bodie, the richest, toughest, wildest camp in the Sierras, but it took the killing of Johnny Treloar to bring things to a head.

Treloar, a miner, and his wife, an attractive brunette, lived in a cabin owned by a French-Canadian named De Roche. He was also a miner and worked on the opposite shift from Treloar.

Soon after the couple moved in, De Roche began paying a lot of attention to his attractive tenant. Being on the opposite shift from her husband made seeing her an easy matter.

Word was slipped to Johnny and he told De Roche to stay away. The French-Canadian and Treloar's wife went "underground" with their lovemaking. Treloar, a Cornishman and not too quick on the uptake, was completely fooled for a long time.

So matters stood until New Year's Eve. Mrs. Treloar was hired to assist in serving refreshments at a big ball to be given in the Miners' Union Hall. Before leaving to go on shift that night, her husband delivered an ultimatum: she was definitely not to dance with De Roche.

At three the next morning, New Year's Day, 1880, Treloar got off work and went to the hall to escort his wife home. She was dancing with the debonair Frenchman. Seeing Treloar, De Roche excused himself and stepped to the door.

"I'd like a word with you, Johnny," he said.

The two men walked down the street to the end of the wooden sidewalk where George Alexander, a hoisting engineer at the Standard Mine, and Dave Watt, an engineer in the mill, were talking.

As De Roche and Treloar stepped off the sidewalk De Roche pulled a pistol, stuck it in Treloar's ear and jerked the trigger. The betrayed husband fell to the roadway, dead. De Roche started to walk away but was immediately collared. Several inches of snow covered the ground; Treloar's blood stained it for a considerable distance. The body was taken to the Kelly and Cardner undertaking establishment and De Roche was taken to jail.

PAT REDDY, a shyster lawyer just beginning to win a somewhat dubious fame, was retained by De Roche. When asked what his fee would be, Reddy said, "Everything you've got."

De Roche protested and Reddy started to walk away. De Roche called him back and turned all his property over to him. In a few hours Reddy's followers, of which there were many, went around the camp talking about "that crazy Frenchman" in an attempt to build up an insanity defense.

Early on New Year's Day rumors began to spread about the formation of a vigilante committee. That night a meeting was held behind locked doors and 601 was formed.

When word of this leaked out De Roche and his friends panicked. De Roche was taken from jail by Deputy Sheriff Farnsworth and smuggled into the Cosmopolitan Lodging House, where Farnsworth roomed.

Farnsworth told quite a story. "I was afraid the 601 would hang him," he explained, "so I put handcuffs on him and made him get in bed first, against the wall."

During the night, according to Deputy Farnsworth, De Roche took the keys from Farnsworth's pocket, unlocked the cuffs and walked out. No one will ever know what Farnsworth got for being such a sound sleeper, for he left shortly afterward for Cornwall, England.

Immediately 601 came into the open and organized search parties. For days they scoured the surrounding country without success, although it was hinted that De Roche was hiding out with a bunch of French-Canadian woodchoppers in the hills.

One morning a mounted posse, headed by S. B. Burkham, visited a charcoal burning operation at Goat Ranch, nine miles from Bodie, and after making a search, rode away. Before the search, however, Burkham, who was evidently nobody's fool, had posted men in the sagebrush and rocks, each man with field glasses.

After the posse had gone, one of the watchers spied a face in an attic window of the two-story boarding house. A signal of pistol shots called the posse back and De Roche was found hiding under the rafters.

De Roche was taken to Cottonwood Junction, where the posse halted and went into a huddle. Some members of the 601 believed the prisoner would be lynched if taken to Bodie and were in favor of taking him to Bridgeport and the county jail. Others were all for hanging him then and there and riding back to camp to forget the whole thing.

Burkham said they would take a vote; those in favor of Bridgeport would write the name on a slip of paper. Those in favor of Bodie would write Bodie on their ballot, and those in favor of doing the job there would so indicate.

When Burkham collected and read the ballots he found that Bodie won by one vote.

DE ROCHE was again placed in the deputy sheriff's keeping. This time a new deputy was on the job; he placed

Stage coaches in front of the Grand Central Hotel in Bodie, California, 1880. Drivers are Tom Petit and George Finney.

TO UNZOR

Bodie in 1880.

a guard around the building in which his prisoner was located. All went well until a little after midnight when the 601, hundreds strong, marched in a compact body to the jail and surrounded it.

The deputy was ordered to open the jail, and a squad of men from the 601 went to De Roche's cell. He was told to put his shoes on; a heavy canvas overcoat was thrown over his shoulders. He was marched out the door. The crunch of feet on frozen ground was the only indication that 601 was in action.

The group halted in front of Fred Weber's blacksmith shop where a large "A" frame, used in lifting heavy wagons for repairs, was picked up and carried to the spot where the blood of Johnny Treloar had stained the snow. The "A" frame was placed over the spot and De Roche was marched under it.

Vigilantes formed around the improvised gallows with shotgun guards on the outside to keep the assembling crowd at a distance.

A noose was placed around the neck of the condemned man and he was asked if he had anything to say.

"No. Oh, my God!"

The hand of the commanding officer raised, fifteen or twenty men holding the rope walked away and De Roche was hoisted to the air. The vigilantes left the scene, dropping out of the column by twos and threes as they passed down the street.

De Roche was left hanging until six in the morning when attorney Dick Miner, assisted by a few curious bystanders, cut the body down and carried it to Kelly and Cardner's. It was placed in a rough pine box and the hanging rope was coiled across the crude coffin.

All day curious crowds walked past. Nearly everyone cut a piece of the rope for a souvenir. After dark the body was taken to the graveyard but buried outside the enclosure.

The grave digger had started to dig in the Chinese cemetery, but when this was discovered, they raised such a row that a new grave had to be dug at a considerable distance from the original point.

This was the beginning of the cleanup. Every few days a number of men whose welcome had worn thin, received a notice, signed 601 telling them to move on.

Friends of some of them, assisted by several "attorneys" and some of the saloonkeepers, organized the "Law and Order League," designed to offset the vigilantes. They had a meeting or two in Boone's Corral, where fiery speeches were made condemning the vigilantes, screaming for their arrest and prosecution.

One of the speakers, a well known attorney, offered the sum of $500.00 for the name of any man who was a member of 601.

The response was immediate. "Hang the speaker!" some one shouted. The 601 had infiltrated the League's assembly! "Bring on the rope! It's time we cleaned up this bunch!"

There was a movement at the edge of the crowd. The speaker didn't wait to see what it was all about; he made a wild run in the opposite direction and was helped on his way by yells and pistols fired in the air. He was picked up by a friend in a buggy a short distance from camp and taken to Bridgeport. He never came back. That ended the Law and Order League. All the men ordered out of camp were on their way before their hours of grace were up. Some who had not even been notified took the first stage out.

Mrs. Treloar, the origin of all the commotion, was employed as a domestic around Bodie for several years, and finally left camp with one of the local bar-flies.

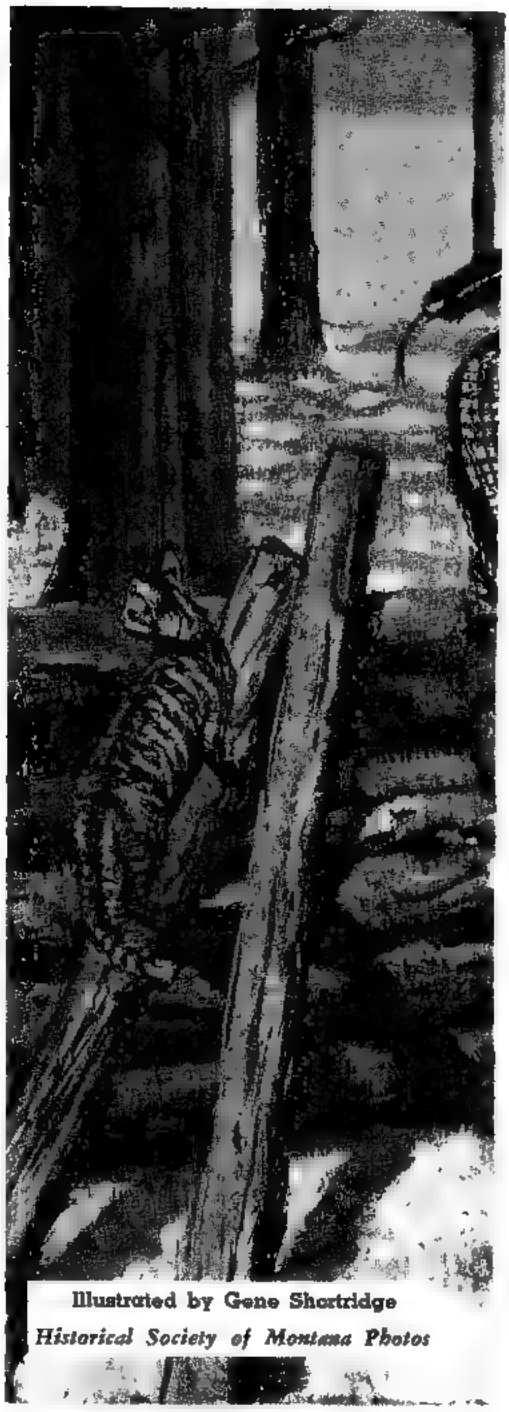
The 601 existed for several years and while it never made another public appearance, a letter from the secretary – signed only 601—was sufficient to reduce the population at once.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

A practical joke almost erupted into wholesale revolt after a cowboy shot at an Indian's hat.

CHEYENNE INCIDENT

By DAVIDSON SMITH



Illustrated by Gene Shortridge

Historical Society of Montana Photos

ON A MARCH DAY in 1884 a lone cowpuncher galloped into the little settlement of Forsyth, Montana, and dismounted at the depot of the Northern Pacific Railroad. The station telegrapher gulped with surprise as he read the note the puncher thrust across the counter. Within moments a priority message was clicking over the wires.

The telegram was addressed to Walter Alderson in Miles City, a town fifty miles east of Forsyth. Alderson and his young wife had journeyed from their ranch on Lame Deer Creek in the upper Rosebud country to Miles City to obtain the services of a doctor for the arrival of their first child.

The pioneering couple had recently completed the construction of a new home on their ranch, a rustic log house that was the envy of all the surrounding rangeland. There was no home comparable to it in all eastern Montana, outside of Miles City. The logs were fitted with such an exactness that the structure resembled a frame house. It had a fireplace that would accommodate logs five feet in length and the furniture and rugs had come all the way from St. Joseph, Missouri. On the surrounding hills grazed the cattle that Alderson and his partner had obtained to launch the stock business that had such an auspicious beginning.

Mrs. Alderson had been a mother for two days and she and her husband were already planning for the journey home with the new baby when a nurse brought the telegram to her. Thinking it was a congratulatory message from a relative, she opened the envelope and read, "Indians have burned your house. Come immediately with sheriff and posse."

Late in the afternoon of that same day a posse led by Billy Smith, a stock inspector for the Montana Stock Association, rode into the F U F ranch south of Forsyth and asked for volunteers to aid in arresting the Cheyenne Indians responsible for the raid. Smith had grown to manhood in west Texas; as a member of the Texas Rangers in the early '70's he gained experience in Indian warfare fighting the Comanches, Kiowas and Kickapoos.

Reinforced with the F U F riders, the posse splashed along the winding trail that led up the Rosebud valley. A chilly wind was cutting away the last of the snowdrifts on the hillsides and water from the melting snow filled the tributaries of the little Rosebud River with pounding bits of ice.

At about 2:00 a.m. the following morning, the little party arrived at the mouth of Lame Deer Creek, where a number of the white settlers had gathered for mutual defense.

THE WORRIED ranchers informed the posse that no further depredations had been committed by the Cheyennes and with some indignation they explained the reason for the sudden flare-up. The Aldersons, during their absence, had placed the ranch in care of two of their permanent employees, Brown Taliaferro and his younger brother, Sawney. The latter was a carefree and irresponsible young puncher with an inclination for fun and deviltry. On the day of the burning, the older brother was out riding on the range while Sawney and a man named Reinhart remained at the ranch. About midday an old subchief, called Black Wolf, rode up to the house and asked for something to eat. The boys gave him food and, with his hunger satisfied, the old Indian sat down on a pile of fence posts a short distance from the house and lighted his pipe. Black Wolf wore a high stovepipe hat which he had probably won in a poker game. Sawney, in the doorway of the ranch house, turned to Reinhart and said, "I'll bet five dollars I can put a hole through that old Indian's hat without touching his head."

"I'll bet you can't," Reinhart replied.

Sawney whipped out his six-shooter and fired. His aim was low and the bullet just creased the top of Black Wolf's head. The Indian rolled to the ground, momentarily stunned, and then rose to his feet in a furious rage. He ignored the pleading of the two cowboys that it was all an accident, and that no harm had been intended. In high anger the old chief, convinced that the shot was meant to kill him, mounted his pony and loped off in the general direction of his camp.

Only a few days before, Black Wolf, with seven tepees of his immediate family, had crossed over the divide from the Tongue River to visit on the Rosebud. The Cheyennes regarded Black Wolf with the greatest esteem, for he had led his people back to their homeland on the Tongue River from the much disliked Pine Ridge Reservation in South Dakota.

Realizing there might be explosive repercussions, Sawney and Reinhart hurried to a neighbor ten miles away and asked for aid. Several hours later they returned to the ranch with three or four cowboys and found the whole place alive with Indians. Black Wolf's entire lodge had swooped down for revenge. In the

"I'll bet five dollars I can put a hole through that old Indian's hat without touching his head."

yard of the ranch house the squaws and papooses sat in a semicircle while the bucks carried bureaus and cupboards from the house, piling the contents on the ground before the delighted audience.

The furniture was then thrown against the walls of the building. Sawney rode into the ranch yard, holding up his hand in a sign of peace. A blast of rifle shots tore the ground under his horse. With whoops and shouts the Indians drowned out his attempted peace overtures.

Another burst of rifle fire drove him from the yard. The cowboys withdrew to a hilltop where they watched the new home erupt into a mass of red flames, fed by the oakum chinking between the logs.

THE MEMBERS of the posse realized the trouble must be stopped short or a full-scale Indian uprising might be in the offing. For the past two or three years relations between the white settlers and the Cheyennes had steadily deteriorated as difficulties arose concerning land rights.

When the Cheyennes surrendered to General Nelson A. Miles during his campaign of 1876-79 it was with the understanding that they would be given a reservation of their own on the Upper Tongue and Rosebud Rivers. Before any land had been officially granted them, they began to slip away from Fort Keogh, where they were being held, and drift into the country that had been promised them.

At almost the same time cattlemen from Wyoming, Texas and Nebraska began to move their herds into this same grassland. The Indians' buffaloes were gone and, inevitably, a hungry Indian would occasionally appropriate one of the white men's cattle. The Indian Department in Washington was deluged with complaints from both sides.

The posse, with a strength of thirty-four men, planned a campaign of action. In deference to his previous experience in Indian warfare on the plains, "Colonel" Hank Thompson was placed in command. Thompson was a veteran of the Civil War and of the Indian wars that had followed that conflict. He was personally acquainted with many of the Cheyennes and spoke their language fluently.

When General Miles moved into the Yellowstone country after the battle of the Little Big Horn, Thompson was First Sergeant of Company G, Fifth Infantry, and that organization took a great part in the campaign that broke the power of the redman forever. He retired at Fort Keogh, but continued to live there and at Miles City. The honorary title of Colonel was bestowed upon him by the community.

The next day the posse divided. One part of the force, the larger group, rode the hills scouting the positions of the Indians. Thompson's smaller detachment of fourteen men made a wide circuit to the west side of the Rosebud and during the course of the day encountered an Indian character known as White Eyes. *(Continued on next page)*

"You are facing war," White Eyes informed Thompson. "The Indians have dug rifle pits in their tepees. There will be a battle."

"All right," replied Thompson, "let the fun begin."

That evening Thompson's little group turned back toward the Rosebud. After dark they rode into a brush thicket opposite the camp of Black Wolf where they dismounted and tied their horses. A short while later they were joined by the rest of the posse, led by Billy Smith. An hour or so before dawn the whole force crawled forward to a cut bank located about seventy-five yards from the tepees to wait for daylight.

Just as dawn began to break, an old Indian walked out from the camp and climbed to the summit of a low hill. He stood there on the hilltop and with both arms outstretched to the rising sun he prayed to the Great Spirit. With an odd wonderment the cowboys witnessed this strange drama as the deep reverberating voice of the old Cheyenne called upon Heammawihio to witness the wrongs that the Indian suffered and to implore advice in this latest dilemma that embroiled the redman.

WHEN THE SUN had cleared the hilltops and the valley was in full daylight, Thompson and Louie King, an officer noted for his cool nerve and deadly marksmanship, rode into the Indian camp. They left their rifles behind but wore their six-shooters under their coats. Thompson called out a Cheyenne greeting and a squaw who recognized him guided them to the tepee of Black Wolf.

They found the old sub-chief, with a bandaged head, reclining on an improvised couch. Thirteen warriors were sitting on the ground in the circular lodge; from their guttural exchange of words Thompson deduced they already were aware of the white men scattered along the river bank.

As the parley opened, Thompson talked about everything but the burning of the Alderson house. The Indians knew why he had come and waited sullenly for him to broach the subject. When he did, outbursts of anger broke from all the Indians. The former First Sergeant berated them as he would have dressed down a company of fresh recruits. Explicitly he explained that the law of the white man had been violated and that those who had broken it must be punished.

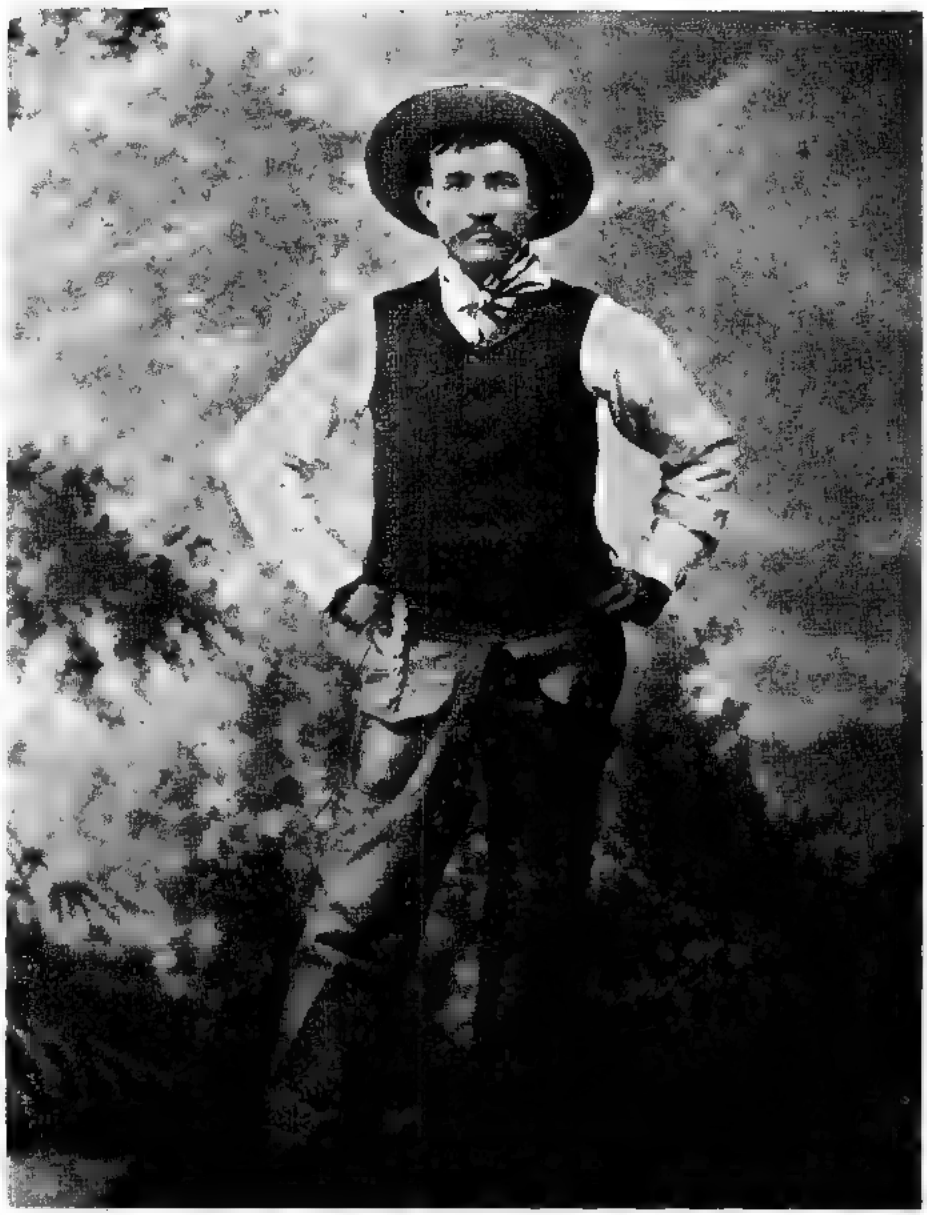
One of the Indians, Howling Wolf, became enraged and was determined to fight. He tongue-lashed the other Indians for their hesitancy.

Thompson spoke to King in English, which the Indians did not understand, and with tones so loud that he was heard by the posse that surrounded the camp, said, "If anything starts, get that Indian that's doing the talking."

King replied, "I'll get him right between the eyes."

Old Black Wolf, tall and dignified, listened quietly to Thompson's demand for the surrender of the Indians who had burned the house. Then, with justifiable indignation, he told of the unwarranted attack upon his person and showed the bullet wound on his head. He held up his two forefingers at equal height, meaning "All even—white man shoot Indian—Indian burn house." As far as the Indians were concerned the matter was settled.

But Thompson was adamant. He demanded the surrender of the guilty Indians. Again he explained that the law of the white man was irrevocable; it could not be changed for any man. A law had been broken and punishment must follow. The power of his deep voice impressed the Indians.



Billy Smith

AT THAT MOMENT, from all about the camp, strident screeches from the squaws announced that they had noted unusual activity among the white men at the river bank. The cowpunchers, uneasy at the long delay and hearing the loud voices that came from the camp, discarded all ideas of concealment and peered over the top of the bank. Billy Smith found it difficult to restrain his men and urged caution and patience as he sought to curb his trigger-happy cowboys.

Disregarding the commotion in the camp, Thompson continued to press his demands. With a sweep of his arm the Colonel indicated that a large force was at his command and stressed the fact that many of Black Wolf's people would be killed if the Indians chose to fight.

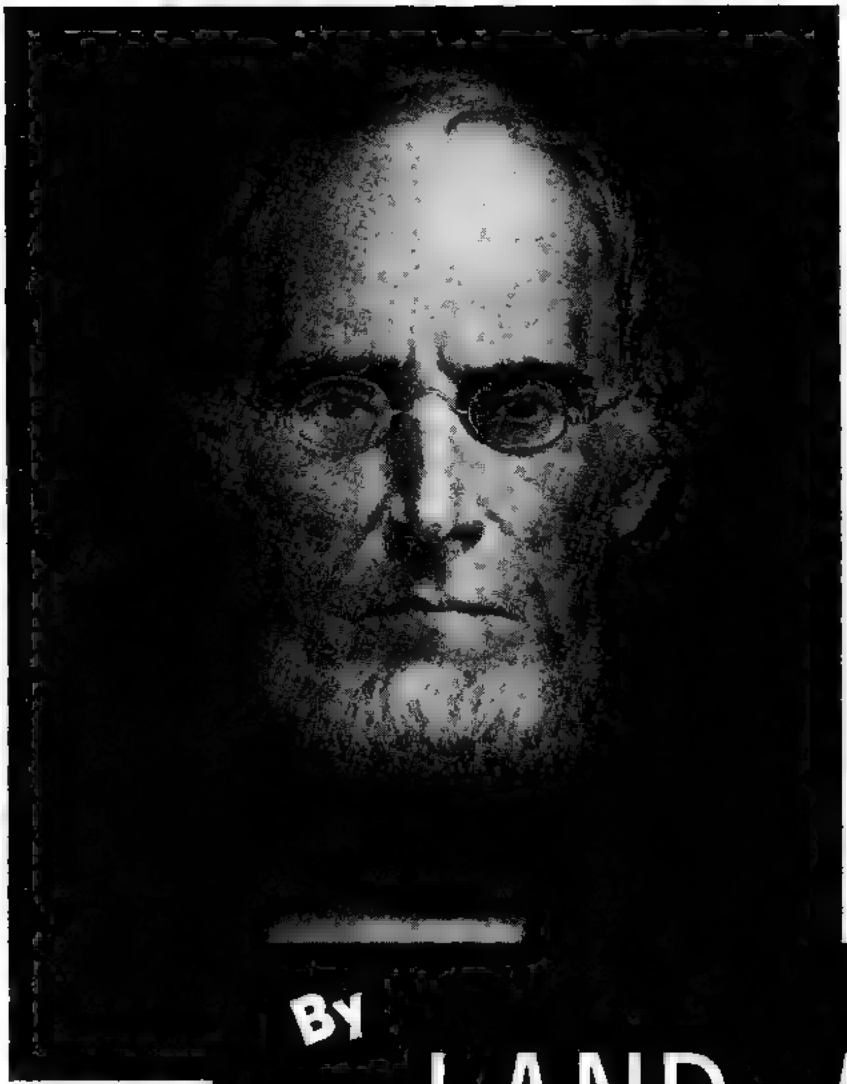
The old chief had already witnessed the power of the white men's guns and, perhaps having in mind that faraway reservation down in Indian Territory, finally agreed to yield the accused Indians with the assurance that they would receive a fair trial in the council of the white chiefs. Thirteen braves were surrendered to the posse who loaded them into a wagon and started for Miles City.

But the white men were not yet out of trouble. By Indian "telegraph" the news was flashed throughout the Rosebud and Tongue River area. The hills swarmed with belligerent bands of mounted Indians.

The posse and prisoners had to pass near the camp of Little Wolf, the famous Cheyenne war-chief who ranked with Dull Knife in influence in the Cheyenne Nation. Several years before, during a quarrel, Little Wolf had killed a Cheyenne and had been exiled from the tribe (Cheyenne law demanded that any tribal member who killed another Cheyenne, for any reason, be automatically banished from the tribe). Little Wolf had moved across the divide and pitched his lone tepee on the Rosebud. However, numerous Cheyennes still regarded him as chief and many tepees stood in the camp of the exiled leader.

Colonel Thompson entered the camp of Little Wolf and urged him to restrain his fellow-tribesmen, reminding him of the conditions named when he surrendered to General Miles. Little Wolf con-

(Continued on page 70)



Gail Borden

BY LAND AND SEA

Borden made a fortune when he invented the condensed milk process. But that wasn't his first fling at inventing things—and not nearly his wackiest!

By JOE B. FRANTZ

Borden Company Photo

IN THE Spring 1959 issue of FRONTIER TIMES Norman B. Wiltsey had a fascinating article on the merchant clipper which Captain Zeb Thomas tried to operate between Kansas City and Santa Fe. Wiltsey rather indicated that the Thomas craft was the first and only prairie schooner.

Now I don't wish to quarrel with Wiltsey, but every now and then the fact that I am a Texan just won't stay down. What I am about to say won't dispute the prairie schooner claim at all, but it does go to show that one tinkering Texan of a century ago even went beyond Captain Thomas with a wind-driven vehicle that would go equally well on land or water.

This Texan was Gail Borden, whose name has come down in business as the inventor of the condensed milk process. But a decade before he made the discovery that was to make him famous, he was experimenting with another idea that was to bring him into intimate relationship with a liquid even more common than milk.

That liquid was water. The particular water was the muddy Gulf salt that surrounds Galveston Island, just offshore from the mainland of Texas.

Borden was a tall, stooped, whiskered, frantic sort of man who went along looking so frenzied that one local artist suggested he'd make a good model for a painting of Judas Iscariot. One reason he was in such a hurry was that he was always thinking of so many things which needed inventing (although until he came up with condensed milk he never really had any ideas that were commercially feasible).

One idea that nearly worked out was what he called his "terraqueous machine."

THE TERRAQUEOUS machine was Galveston's most widely known secret. In strictest confidence Borden told virtually everyone he met of the mysterious contrivance he was building. To him it was—at the moment—the invention of the century, and he reputedly kept bloodhounds in his stable to discourage possible snoopers.

One night in the 1840's he was seen "speeding . . . in breathless haste," inviting favored persons to his house for a midnight dinner and "entertainment." All knew that the time for testing the machine had arrived.

It was a moonless night, which was as the inventor wished, for he intended to have his contrivance back in its shed and away from prying eyes before daylight. At midnight all boarded the strange vehicle and horses pulled the machine to the beach, where it was pointed west. The horses were detached; the sail was hoisted. Slowly the machine gathered speed, faster and faster.

Some of the women began to scream. Ten minutes before the party would have reached the end of the island, where Borden intended to run right into the sea, the clamor and fright of the women grew so loud the inventor had to apply the brake and halt the trip.

He spent the next day denouncing women as obstacles in the path of progress. If they were going to scream and take fright, they should stay home like his wife.

"No man respects women more than I do," he observed, ". . . but no woman since creation ever invented anything, and no female ever will."

A few days later Borden decided to try

(Continued on page 71)

SHADOW OF THE CROSS

By NORMAN B. WILTSEY

FOUR MILES south of Taos, New Mexico, on U.S. Highway 64, lies the tiny settlement of Rancho de Taos. Here, in the Mission of St. Francis of Assisi, is one of the religious miracles of modern times—a painting of Christ known as "The Shadow of the Cross."

The Mission itself is a plain wood and adobe building dating back to 1772, the days of the Spanish Padres. The Mission's interior is dusty and austere, almost painfully bare except for the altar with its fine examples of native woodcarving.

On the cool August evening of my visit, a small group of tourists filed through the gateway in the walled Mission yard down the stone walk to the building. I was in the front rank; I walked through the arched doorway to the front of the church and found a seat on a wooden bench before the altar.

The painting I had come to see hung on the wall at the left of the altar. Tall candles, unlit, stood before it in golden holders. Nearly life-size, it depicted Christ standing on the shore of the lake of Galilee. It was no masterpiece. The workmanship was competent, but not to be compared with a Raphael or a Michaelangelo. Yet I was intrigued by it, for I had heard of the painting and the miraculous quality it possessed several times.

The Right Reverend Monsignor Maguire gave us a brief history of the Mission and told us something of the phenomenon we were about to witness. He switched off the lights at the close of his short talk. Velvet darkness cloaked the musty interior.

Ten seconds dragged by. I stared intently at the segment of gloom where the painting hung. I was skeptical, yet my heart started to pound rapidly with excitement as the painting began to glow with a soft, misty radiance. (I cannot adequately describe that radiance; indirect moonlight would perhaps come closest.) The robed figure of Jesus emerged gradually from the darkness, took definite shape. It seemed to me that He stood not on the rocky shore of Galilee, but silhouetted against a garden—the Garden of Gethsemane? Even as the startling thought entered my mind, the dim yet unmistakable outline of the Cross appeared over His left shoulder.

Behind me, a woman gasped, then softly began to pray.

Mission photo

by

Audrey M. Wiltsey

Left, the mysterious painting. Right, the Mission of St. Francis of Assisi, at Rancho de Taos, New Mexico. It was built in 1772.

For perhaps five minutes the lights remained off while each of us studied the luminous figure of Christ. He seemed to be speaking directly to me. My eyes misted and a lump came into my throat. Beyond doubt, this was the most profoundly moving five minutes I have ever experienced. Faced with such silent eloquence, such unearthly beauty, I closed my eyes and bowed my head in prayer.

The exhibition over, we all rose and filed past the painting on our way out of the building. I paused directly in front of it and studied it carefully from a distance of four feet.

Clearly, in the picture, Jesus was standing on the shore of a body of water—there was absolutely no sign of a garden or the Cross anywhere about Him. Yet, as I left the Mission, the thing I remembered most vividly was the shadowy outline of the Cross defined against the somber background of Gethsemane. Several others in our group had received identical impressions.

BACK HOME, vacation trip over, I could not get the painting out of my mind. The mystery of it intrigued me. I wanted to know more about it, and about the man who had painted it. I went to the library and started digging.

My first strike was a copy of *The Denver Post* of November 3, 1951. According to *The Post* article, the painting had been tested in every conceivable scientific manner. The tests, conducted by *The Post*, had been performed by Fred Mazzula, a Denver attorney and photographer. First, Mr. Mazzula sealed the picture from light with blankets in an effort to determine if it had accumulated luminescence. After several hours the blankets were removed and a series of photographs made of the picture.

Five cameras shot film in exposures varying from ten minutes to three hours on three successive days and nights. Some film "burned up," some caught some image, some recorded the full phenomenon. Several odd facts were disclosed during the course of the investigation. For example, a seven-hour exposure produced the same result as one hour. The picture attained its brightest luminence at midnight and could then be photographed up to a distance of forty feet in its own light.

In the final effort to solve the mystery, Mazzula and his assistants subjected the painting to hours of flood lighting to induce florescence. The attempt failed. After being floodlighted, the picture would not light up in darkness at all. However, the phenomenon returned when the Padre entered the Mission.

The painting was the work of an obscure Canadian artist, Henry Ault. Completed in 1896, two years before the discovery of radium, it was painted in the cobalt region of Ontario, Canada, but no connection has ever been established between that fact and the painting's mysterious luminosity. Scientists from the University of Arizona checked the canvas minutely with a Geiger counter in 1954. Repeated tests picked up only cosmic rays, at the rate of forty-five to fifty per minute, which is normal for the 7,000 foot high altitude of Taos.

Placed on exhibition at the St. Louis World Fair in 1906, the picture attracted thousands of visitors. Taken later to Europe, it was exhibited at the Dore Galleries in London and again drew large crowds of curious yet reverent visitors. Returned to the United States, it was purchased by an Atlanta, Georgia, art dealer. Mrs. H. S. Griffin, of Wichita Falls, Texas, bought the painting from the dealer and donated it to the Mission at Taos.

In Frederick L. Rawson's book, *Life Understood*, there is mention of the painting. Rawson conducted exhaustive scientific tests upon the canvas, and stated, "The luminosity of the painting is neither equal nor monochromic, the light varying from time to time in intensity and the colors not always the same."

On the possibility of accumulated luminescence, Rawson had this to say, "Chemical pigments can become luminescent but are not lasting, as they oxidize and blacken within a few months."

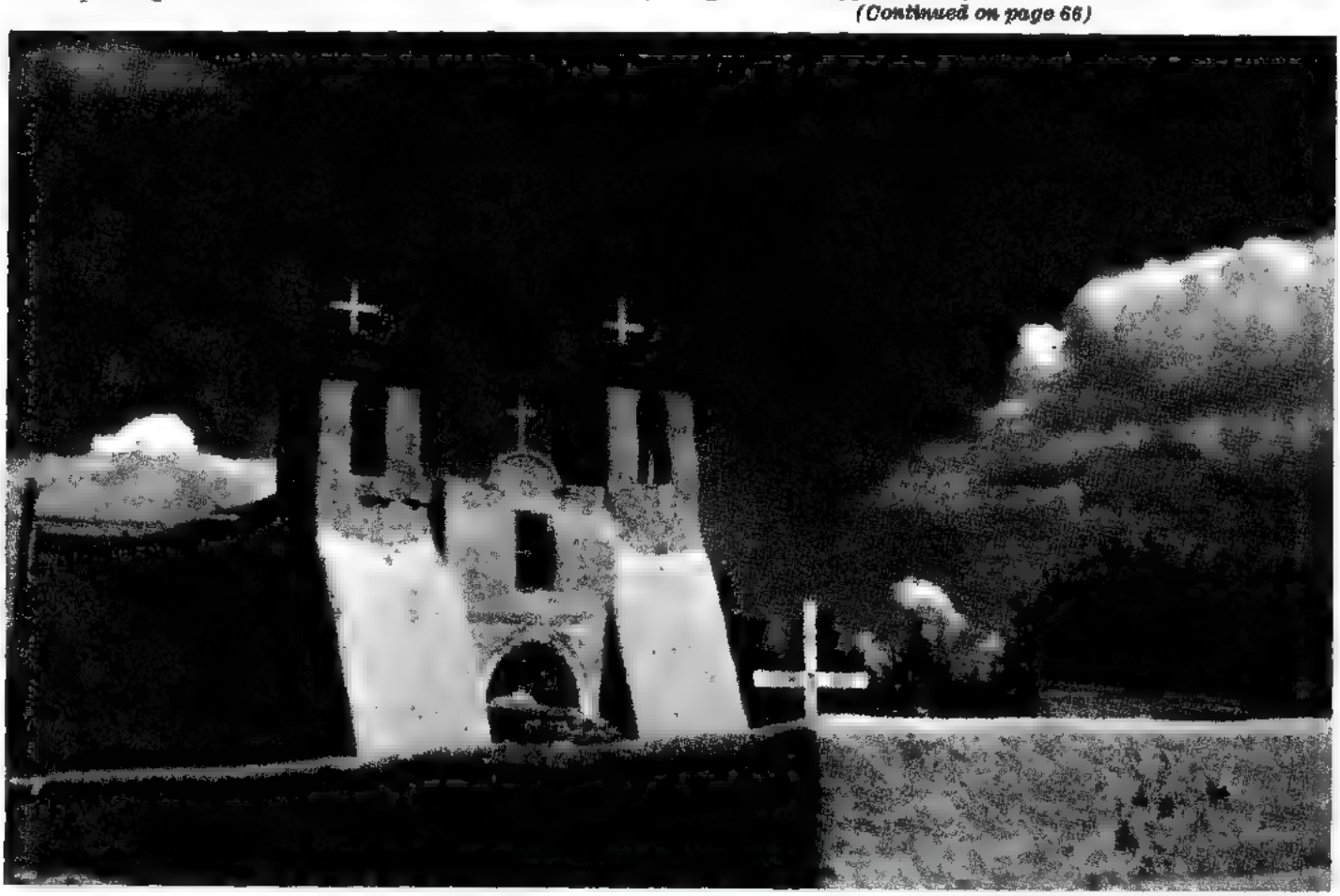
The artist himself had not the slightest knowledge of *how* he had created— if he *had* created—the luminous effect in his painting of the Master. The mystery preyed on his mind and he tried again and again to duplicate the effect in other paintings of Christ and never succeeded. He racked his memory to use the same paints, matching exactly in colors and chemical components, but the longed-for results never came. Henry Ault was still vainly trying to reproduce his one mysterious masterpiece at the time of his death in 1910.

THE STORY OF HANK VAUGHN

By FRANKLIN GIRARD

THE UNENVIABLE history of Hank Vaughn is somewhat tangled in the claims of two states; Oregon claims he belongs to Idaho and that state asserts he belongs to Oregon. Be that as it may, Hank's field of operation extended from The Dalles to the Bitterroot Valley in Montana. After serving a brief apprenticeship in the bars and dancehalls of

(Continued on page 66)



REPRODUCTION
PROHIBITED

JOHN BROWN'S

by RAYMOND W. SETTLE
and MARY LUND SETTLE

THE SOFT, moonlit summer night of May 24, 1856, should have been one of peace and repose for the pioneer settlers along Mosquito and Pottawatomie Creeks in southeast Kansas Territory. It was for some, but for others it was not. For the pro-slavery Doyle, Wilkinson and Sherman families, it was destined to be a night of terror, assassination and blood.

About eleven o'clock a party of eight, led by a hawk-nosed old man, left their camp a mile above "Dutch Henry" Sherman's Crossing on the Pottawatomie and skulked across the prairie toward Mosquito Creek. They swung downstream toward the cabin where James P. Doyle, his wife, and five children lay in slumber. The leader carried a revolver but the others carried rifles and heavy broadswords they had sharpened upon a grindstone the preceding day.

The leader of this furtive pack was John Brown, lately of North Elba, New York, but then living in a free-state community near Osawatomie. At his back were his four sons, Owen, Frederick, Salmon, and Oliver, his son-in-law Henry Thompson, James Townsley and Theodore Weiner.

Upon nearing Doyle's cabin, Frederick Brown and Townsley were detached to stand guard outside lest some member of the family escape and give the alarm. A moment after the others went on, a vicious dog, whose instinct told him the midnight visitors were bent upon mischief, attacked Frederick and Townsley. The latter, not wishing to arouse the Doyle family by shooting the animal, whipped out his broadsword and hacked him to death.

While Townsley was busy butchering the dog, Brown, Owen, Salmon, Oliver and Henry Thompson crept to the cabin and hammered on the front door. When Doyle answered, the group brusquely crowded inside and informed him they were from the "army" and that Doyle and his three sons, Drury, aged twenty, William, a year or so younger, and John, who was sixteen, were their prisoners. Doyle, who may have known Brown, took one look at their civilian clothes, rifles and broadswords, and knew he was up against an irresponsible mob.

Mrs. Doyle, hysterical, upbraided her husband and reminded him that she had warned him against taking part in harrassing their free-state neighbors. He endeavored to quiet her, but was unable to do so.

Judging by a statement Mrs. Doyle later made to Congressman Mordecai Oliver, member of a Congressional Committee investigating affairs in Kansas at that time, Brown meant to kill every male member of her family, regardless of age. When he ordered the father and three sons outside, she entreated him to spare John on account of his tender age. Brown relented and permitted the boy to stay with his mother.

The others were herded outside and a death march formed, with Brown in the lead, the doomed men in the middle, and the others trailing along in the rear. James Townsley, who wrote a confession and description of that night's bloody business, said that about a quarter of a mile from the cabin Brown shot Doyle in the head with a revolver, killing him instantly.

Owen and Salmon fell upon Drury and William with their broadswords. William was cut down instantly, but Drury, though wounded, attempted to escape. After being pursued some distance he was overtaken and also chopped to death with a broadsword.

Above, John Brown's cabin in Osawatomie, Kansas. Below, statue of John Brown, Memorial State Park, Osawatomie.

VENGEANCE

WHY DID JOHN BROWN AND HIS SONS DELIBERATELY SLAY FIVE OF HIS NEIGHBORS? PART OF THE ANSWER LAY IN THE TIMES AND PART IN THE HIDDEN DEDICATION IN HIS OWN TORTURED MIND.

"Last Moments of John Brown"
reproduced from the Collection of the Library of Congress

Additional Photos from Library of Congress and the Kansas State Historical Society

Thomas Hovenden's famous work, "Last Moments of John Brown."

BROWN'S FAMILY, his admirers and friends, who would have him appear as a sainted martyr in the glorious cause of freedom, vehemently deny that he lifted a hand against anybody that awful night. Mrs. Doyle said in her statement that she heard two shots, but Henry Thompson, who for some reason was about 300 yards away from the scene of the killings, said he heard only one.

Whether Brown killed Doyle or not is beside the point. He alone planned the affair, chose the victims and led the party. It would seem strange for him to order his own sons to commit a cold-blooded murder from which he himself shrank. He was just not that kind of a man.

The self-appointed executioners left the bodies where they fell and moved down Mosquito Creek toward Allen Wilkinson's cabin. Mrs. Wilkinson, ill with the measles, was awakened by footsteps approaching the cabin. She aroused her husband but he told her it was only someone passing and went to sleep again.

A short time later their watchdog raised an uproar and Mrs. Wilkinson saw a man pass the window. A knock at the door followed. Mrs. Wilkinson again awakened her husband, who called out and asked who was there. In reply someone, probably Brown himself, asked the way to Dutch Henry Sherman's cabin.

When Wilkinson began to give the desired information he was gruffly ordered to come outside and show them the way. Mrs. Wilkinson, growing more alarmed over the affair, urged him to not obey. In deference to her wishes he replied it was difficult for him to find his clothes in the dark; besides, he could tell them what they wanted to know from where he was.

Brown withdrew his party for a whispered consultation. A few moments later they were again at the door. "Are you a northern armist?" demanded one of them. Exactly what he meant by this is not clear.

"I am," replied Wilkinson.

"You are our prisoner," was the reply. "Do you surrender?"

"Gentlemen," meekly replied Wilkinson, "I do."

"Then open the door," demanded someone.

"Wait until I make a light," countered Wilkinson.

"If you don't open it," roared one of the killers, "we'll open it for you!"

Wilkinson opened the door, against his wife's entreaties, and Brown and three others, probably his sons, barged inside and ordered him to put on his clothes. The others remained outside on guard. While the doomed man was dressing, Brown's sons searched the cabin for weapons. Mrs. Wilkinson begged Brown not to take her husband away, leaving her sick and alone.

"You have neighbors," growled Brown, overlooking the fact that they had just killed three of those living nearest.

"So I have," was the reply, "but they are not here, and I cannot go for them."

"It matters not," was Brown's calloused reply.

Wilkinson asked for time to put on his boots but was not allowed to do so. The assailants forced him outside and marched him a short distance from the cabin. There one of Brown's sons split his skull with his broadsword. The body was dragged into some brush and the party marched on.

While Wilkinson was being killed, one of the sons went back to the cabin and stole two saddles. In desperation Mrs.

(Continued on page 68)

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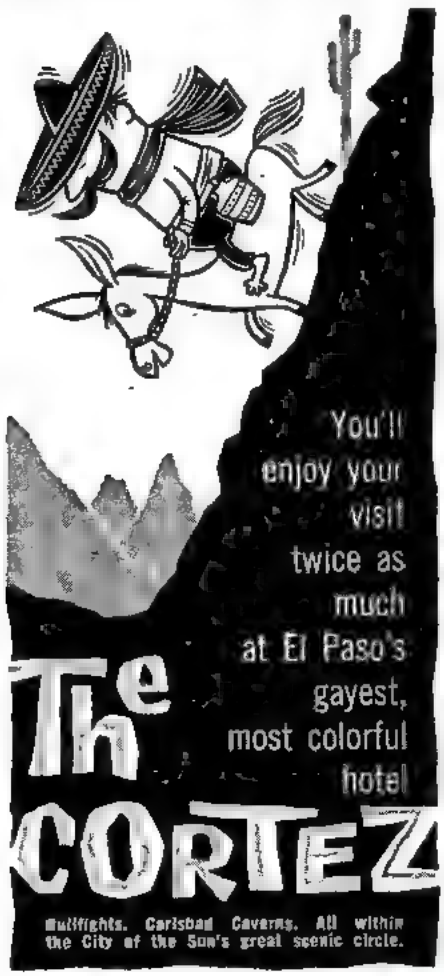
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Death of Billy the Kid

(Continued from page 12)

seemed almost unbelievable that the Kid, with a price on his head and under sentence of death, would still be lingering in the country. However, in view of the peculiar conditions then existing in the country and the fact that the Kid had many friends and sympathizers who looked upon him as a hero and who would probably shelter and protect him, I came to the conclusion that there was possibly truth in the story which had been told me and I immediately went to Lincoln where I laid the matter before the sheriff.

The sheriff was much more skeptical than I was. He said he could not believe what the White Oaks man had told me; however, he finally said that, if I desired it, he would go to Roswell, where we would find one of his deputies named McKinney, and from there the three of us would go to Fort Sumner to unearth the Kid if he were there. This was agreed upon and the following day we went to Roswell where we found McKinney, who expressed his disbelief in the White Oaks story but who willingly joined us for the expedition to Fort Sumner, some eighty miles from Roswell.

After a few hours spent in Roswell arranging for the trip, we started about sundown, riding out of town in a different direction from that we intended to travel later, as it was absolutely necessary to keep the public in ignorance of our plans if anything was to be accomplished. After we were well out of the settlement, we changed our course and rode in the direction of Fort Sumner until about midnight. We stopped, picketed our horses, and slept on our saddle-blankets for the remainder of the night. The next day we rode some fifty or fifty-five miles, halting late in the evening at a point in the sand hills five or six miles from Fort Sumner, where we again picketed our horses and slept until morning.

SINCE I was not known in Fort Sumner, while the other two men were, I rode into the place with the object of reconnoitering the ground and gathering information to aid us in our purpose, while the other two men remained out of sight in the sand hills. In case of my failure to return to them before night, they were to meet me after darkness at a certain point agreed on some four miles out of Fort Sumner.

I arrived in town about ten o'clock. Fort Sumner at that time had a population of only two or three hundred people, nearly all of whom were natives or Mexicans, there being not more than one or two dozen Americans in the place, a majority of whom were tough or undesirable characters in sympathy with the Kid. The remainder stood in terror of him.

When I entered the town, I noticed that I was being watched from every side, and soon after I stopped and hitched my horse in front of a store (which had a saloon annex), a number of men gathered around and began to question me as to where I was from, where bound, etc. I answered with as plausible a yarn as I was able to give, telling them I was from White Oaks, where I had been engaged in mining, and was on my way to the Panhandle where I had formerly lived.

This story seemed to allay their suspicions to some extent and I was invited to join in a special drink at the saloon, which I did, being very careful that I absorbed but a very small portion of the liquor. This operation was repeated several times, as was the custom in those days, after which I went to a nearby restaurant for something to eat.

After I had eaten a square meal, I loitered about the village for some three hours, chatting casually with people I met in the hope of learning something definite as to whether or not the Kid was there or had recently been there, but was unable to learn anything.

The people with whom I conversed were still suspicious of me, and it was plain that many of them were on the alert, expecting something to happen. In fact, there was a very tense situation in Fort Sumner that day, as the Kid was at that very time hiding in one of the natives' houses there. If the object of my visit had become known, I should have stood no chance for my life whatever.

It was understood, when I left my companions in the morning, that in case of my being unable to learn any definite information in Fort Sumner, I was to go to the ranch of a Mr. Rudolph (an acquaintance and supposed friend of Garrett's), which was located seven miles north of Fort Sumner at a place called Sunnyside.

Accordingly, I started for Rudolph's ranch about the middle of the afternoon, arriving there some time before night. I found Mr. Rudolph at home, presented the letter of introduction which Garrett had given me, and told him that I wished to stop overnight with him. After reading the letter, he said that Garrett was a very good friend of his and that he would be very glad to furnish me with accommodations for the night.

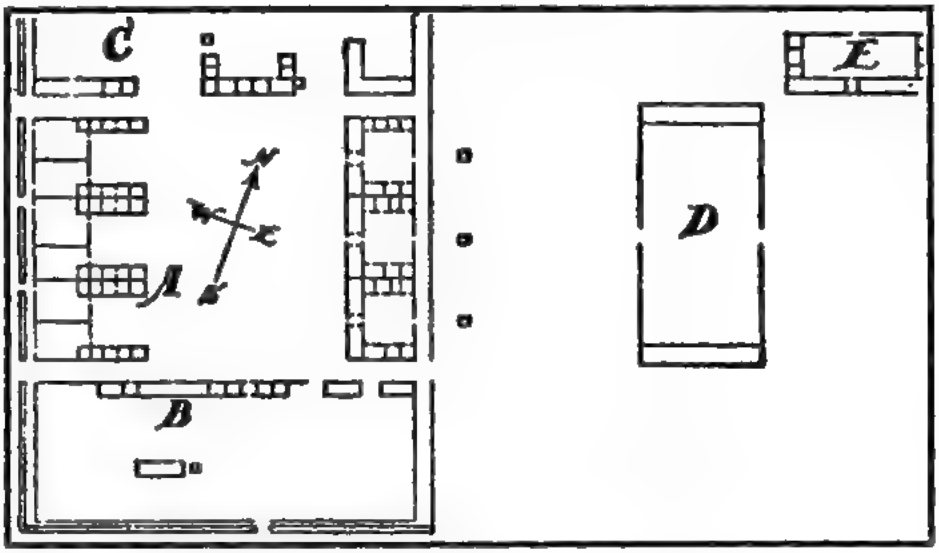
After supper was over, I engaged him in conversation, discussing the conditions in the country generally. After some little time I led up to the escape of Billy the Kid from Lincoln and remarked that I had heard a report that the Kid was hiding in or about Fort Sumner.

Upon my making this remark, the old gentleman showed plainly that he was getting nervous; he said he had heard that such a report was about, but did not believe it, as the Kid was, in his opinion, too shrewd to be caught lingering in that part of the country with a price upon his head, knowing that the officers of the law were diligently seeking him.

By this time I was pretty well convinced that Mr. Rudolph was naturally well-intentioned but, like so many others, was afraid of the Kid and, on account of this fear, was very reluctant to say anything whatever about him. I then told him plainly the object of our errand—that I had come to him with the express purpose of learning, if possible, where the Kid could be found. I told him we believed he was hiding in or near Fort Sumner and that Garrett expected that he (Rudolph) would be able to put us on the right trail.

Upon my making this statement, Mr. Rudolph became more nervous and excited than ever, and reiterated his reasons for believing that the Kid was not in that part of the country. He showed plainly—so it seemed to me—that he was not only embarrassed but alarmed. The truth was, we afterward learned, he knew the Kid was hiding around Fort Sumner, but his dread of the Kid caused him to make misleading statements while withholding facts.

Darkness was now approaching. I told Mr. Rudolph that having had a rest and a good feed, I had changed my mind. In-



Ground plan of Fort Sumner. (A) Maxwell's house; (B) old quartermaster's storehouse in which the Kid was staying just before his death; (C) peach orchard; (D) corral; (E) the old fort hospital.

stead of stopping overnight with him, I would saddle up and ride during the cool of the evening to meet my companions. This I did much, I thought, to the relief of Rudolph.

I rode directly to the point where I had agreed to meet my companions and, strange to say, as I approached the point from one direction they came into view from the other, so we did not have to wait for each other. This proved to be a night of strange happenings with us, however, all the way through.

We held a consultation as to what further course we should pursue. I had spent the day endeavoring to learn something definite of the whereabouts of the man we wanted, but without success. However, from the actions of the people I had met at Fort Sumner, together with Mr. Rudolph's nervous and excited manner, I was more firmly convinced than ever that our man was in the vicinity.

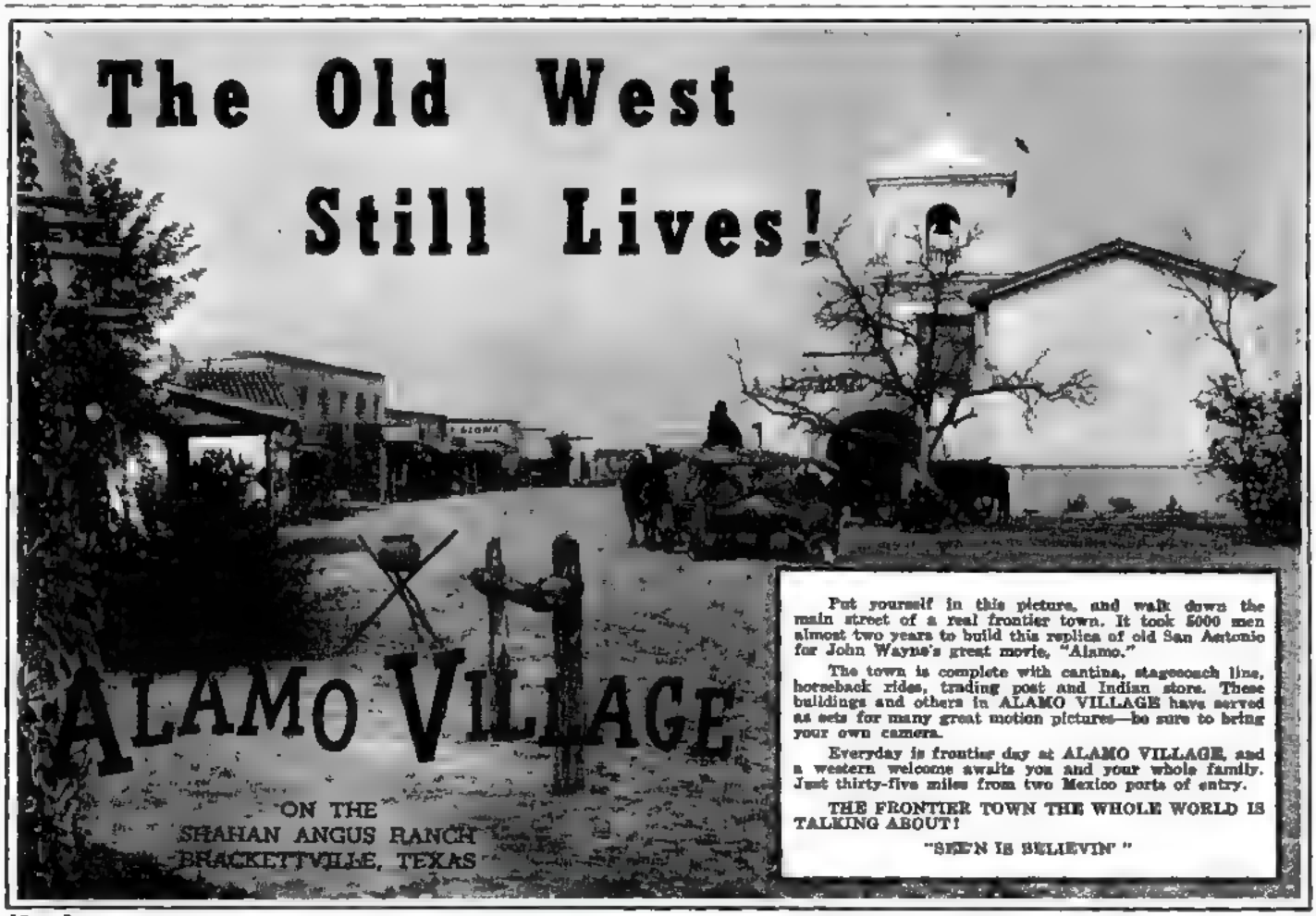
GARRETT SEEMED to have little confidence in our being able to accomplish the object of our trip but said he knew a certain house occupied by a woman in Fort Sumner which the Kid had formerly frequented. If the Kid were in or about Fort Sumner, he would most likely be found entering or leaving that house some time during the night. Garrett proposed that we go into a grove of trees near the town, conceal our horses, then station ourselves in the peach orchard at the rear of the house and keep watch on who might come or go.

This course was agreed upon and we entered the peach orchard about nine o'clock that night, stationing ourselves in the shadows of the peach trees, for the moon was shining very brightly. We kept watch until some time after eleven o'clock, when Garrett stated that he believed we were on a cold trail. He had very little faith in our being able to accomplish anything when we started on the trip. He proposed that we leave the town without letting anyone know that we had been there in search of the Kid.

I then proposed that, before leaving, we should go to the residence of Peter Maxwell, a man I had never seen but who, by reason of his being a leading citizen and having large property interests, should, according to my reasoning, be glad to furnish such information as he might have to aid us in ridding the country of a man who was looked on as a scourge and curse by all law-abiding people.

Garrett agreed to this and led us from the orchard by circuitous bypaths to Maxwell's residence, a building used as officers' quarters during the days when a garrison of troops had been maintained at the fort.

The house was a very long, one-story adobe, standing flush with the street,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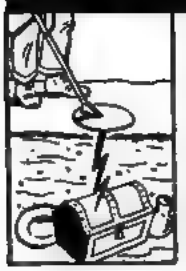

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John W. Poe and wife.

with a porch on the south side—the direction from which we approached. The premises were all enclosed by a paling fence, one side of which ran parallel to and along the edge of the street up to and across the end of the porch to the corner of the building.

When we arrived at the house, Garrett said to me, "This is Maxwell's room in this corner. You fellows wait here while I go in and talk to him." He stepped onto the porch and entered Maxwell's room through the open door (left open on account of the extremely warm weather), while McKinney and I stopped outside. McKinney squatted on the outside of the fence, and I sat on the edge of the porch in the small open gateway leading from the street to the porch.

IT SHOULD BE mentioned here that up to this moment I had never seen Billy the Kid nor Maxwell, which fact, in view of the events transpiring immediately afterward, placed me at an extreme disadvantage.

Probably not more than thirty seconds after Garrett had entered Maxwell's room, my attention was attracted, from where I sat in the little gateway, to a man approaching me on the inside of the fence, some forty or fifty steps away. I observed that he was only partially dressed and was both bareheaded and barefooted (or, rather, had only socks on his feet) and it seemed to me that he was fastening his trousers as he came toward me at a very brisk walk.

As Maxwell's was the one place in Fort Sumner that I had considered above suspicion, I was entirely off my guard. I thought the man approaching was either Maxwell or some guest of his. He came on until he was almost within arm's-length of where I sat before he saw me, as I was partially concealed from his view by the post of the gate.

Upon seeing me, he covered me with his six-shooter as quick as lightning, sprang onto the porch, calling out in Spanish, "Quien es?" At the same time he backed away from me toward the door which Garrett only a few seconds before had passed, repeating his query, "Who is it?" in Spanish several times.

At this I stood up and advanced toward him, telling him not to be alarmed, that he should not be hurt, still without the least suspicion that this was the very man we were looking for. As I moved toward him trying to reassure him, he backed up into the doorway of Maxwell's room, where he halted for a moment, his body concealed by the thick adobe wall at the side of the doorway. He put out his head and asked in Spanish for the fourth or fifth time who I was. I was within a few feet of him when he disappeared into the room.

After this, and until after the shooting, I was unable to see what took place on account of the darkness of the room, but plainly heard what was said. An instant after the man had left the door, I heard a voice inquire in a sharp tone, "Pete, who are those fellows on the outside?" An instant later a shot was fired in the room, followed immediately by what everyone within hearing distance thought were two other shots.

However, there were only two shots fired, the third report, as we learned afterward, being caused by the rebound of the second bullet, which had struck the adobe wall and rebounded against the headboard of a wooden bedstead.

I heard a groan and one or two gasps from where I stood in the doorway, as if someone were dying in the room. An instant later Garrett came out, brushing against me as he passed. He stood by me close to the wall at the side of the door and said to me, "That was the Kid that came in there onto me, and I think I have got him."

I said, "Pat, the Kid would not come to this place; you have shot the wrong man."

Upon my saying this, Garrett seemed

to be in doubt himself, but quickly spoke up and said, "I am sure that was him, for I know his voice too well to be mistaken." This remark of Garrett's relieved me of considerable apprehension, as I had felt almost certain that someone else had been killed.

A moment after Garrett came out of the door, Pete Maxwell rushed squarely onto me in a frantic effort to get out of the room, and I certainly would have shot him but for Garrett's striking my gun down, saying, "Don't shoot Maxwell."

By this time I had begun to realize that we were in a place which was not above suspicion and as Garrett was so positive that the Kid was inside, I came to the conclusion that we were up against a case of "kill or be killed," such as we had from the beginning realized would be the case whenever we came upon the Kid.

I have ever since felt grateful that I did not shoot Maxwell for, I learned afterward, he was at heart a well-meaning, inoffensive man, but very timid. We afterward discovered that the Kid had frequently been at his house after his escape from Lincoln, but Maxwell stood in such terror of him that he did not dare inform against him.

By this time all was quiet in the room. The darkness was such that we were unable to see what the conditions were on the inside or what the result of the shooting had been. After some rather forceful persuasion, indeed, we induced Maxwell to procure a light. He finally brought an old-fashioned tallow candle from his mother's room at the far end of the building. He placed the candle on the window sill from the outside.

This enabled us to get a view of the inside, where we saw a man lying stretched upon his back, dead, in the middle of the room, with a six-shooter lying at his right hand and a butcher-knife at his left. Upon examining the body we found it to be that of Billy the Kid. Garrett's first shot had penetrated his breast just above the heart, thus ending the career of a desperado who, while only about twenty-three years of age at the time of his death, had killed a greater number of men than any of the many desperadoes and "killers" I have known or heard of during the forty-five years I have been in the Southwest.

Within a very short time after the shooting quite a number of the native people gathered around, some of them bewailing the death of their friend. Several women pleaded for permission to take charge of the body, which we allowed them to do. They carried it across the yard to a carpenter shop, where it was laid out on a workbench. The women placed lighted candles around it according to their ideas of properly conducting a "wake" for the dead.

All that occurred after the Kid came into view in the yard, up to the time he was killed, happened in much less time than it takes to tell it. Not more than thirty seconds intervened between the time I first saw him and the time he was shot. From Garrett's statement of what took place in the room after he entered, it appears that he left his Winchester rifle standing by the side of the door, and approached the bed where Maxwell was sleeping, arousing him and sitting down on the edge of the bed near the head.

A moment after he had taken this position for a talk with Maxwell, he heard voices on the porch and sat quietly listening, when a man appeared in the doorway and a moment later ran up to

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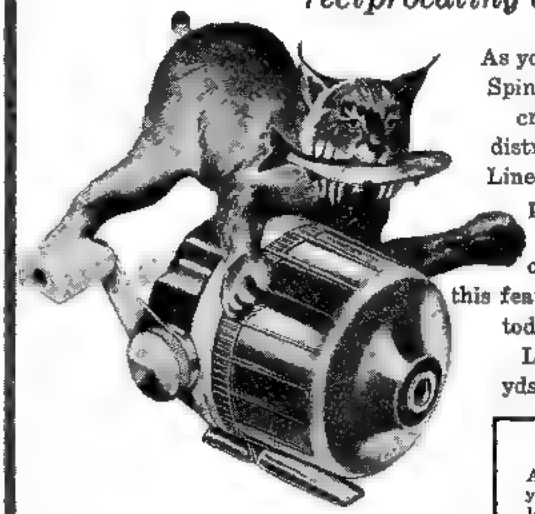

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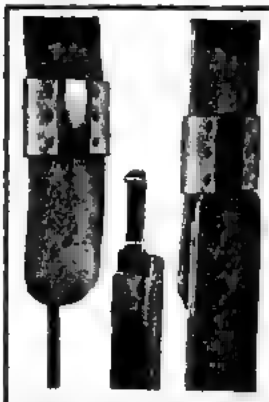

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Maxwell's bed, saying, "Pete, who are those fellows outside?" It being dark in the room, he had not seen Garrett sitting at the head of the bed.

When he spoke to Maxwell, Garrett recognized his voice and made a move to draw his six-shooter. This movement attracted the Kid's attention. Seeing that a man was sitting there, he instantly covered him with his gun, backed away, and demanded several times in Spanish to know who it was. Garrett made no reply and, without rising from his seat, fired, killing the desperado.

This occurred about midnight on July 14, 1881. We spent the remainder of the night on the Maxwell premises, keeping constantly on our guard, as we expected attack by the friends of the dead man. Nothing of the kind occurred, however. The next morning we sent for a justice of the peace, who held an inquest over the body, the verdict of the jury being such as to justify the killing. Later on the same day, the body was buried in the old military burying ground at Fort Sumner.

THERE HAVE BEEN many wild and untrue stories of this affair, one of which was that we had in some way learned in advance that the Kid would come to Maxwell's residence that night and had concealed ourselves there with the purpose of waylaying and killing him. Another was that we had cut off fingers and carried them away as trophies or souvenirs. In later years it has been said many times that the Kid was not dead at all but had been seen alive and well in various places.

The actual facts, however, are exactly as stated herein. While no doubt, under the circumstances, we would have lain in wait for the Kid at the Maxwell premises if there had been the slightest reason for believing that he would come there, the fact that he did come was a complete surprise to us, absolutely unexpected and unlooked for as far as we three were concerned. The story that we cut off and carried his fingers was even more absurd, as the thought of such a thing never entered our minds. We were not that kind of people.

The killing of the Kid created a great sensation throughout the Southwest and many of the law-abiding citizens of New Mexico and the Panhandle contributed substantially and liberally toward a reward for the officers whose work had finally rid the country of a man who was nothing less than a scourge.

The death of the Kid had a very salutary effect in New Mexico and the Panhandle. Most of his followers left the country, for the time being at least, and a great many persons who had sympathized with him or been terrorized by him completely changed their attitude toward the enforcement of law.

The events which occurred at Maxwell's ranch on the night of that fourteenth of July to this day seem to me strange and mysterious, as the Kid was certainly a "killer" and was absolutely desperate. He had the drop first on me and then on Garrett. Why did he not use it? Possibly because he thought he was in the house of his friends and had no suspicion that the officers of the law would ever come to that place searching for him.

From what we learned afterward, there was some reason for believing that we had been seen leaving the peach orchard by one of his friends, who ran to the house where he was stopping for the night, warning him of our presence. He had run half-dressed to Maxwell's, thinking that, by reason of the standing of the Maxwell family, he would not be sought there. However this may be, it is still, in view of his character and the condition he was in, a mystery.

I have been in many close places and through many trying experiences both before and after this occurrence, but never in one where I was so forcibly impressed with the idea that a Higher Power controls and rules the destinies of men. To me it seemed that what occurred in Fort Sumner that night had actually been foreordained.

The foregoing sketch or narrative was written at odd moments, taken from a very busy business life, upon the urgent request and oft-repeated solicitations of friends, and it is the first—and probably the last—attempt of the writer to record any of the facts related.

The Man Who Named Phoenix

(Continued from page 51)

reported his occupation as "farmer," but the old romantic flame had not completely burned out. The *Arizona Star* of April 18, 1889 reported:

"Darrel Duppa and J. E. Teeter returned yesterday from a three months' prospecting trip and made several locations near the Harqua Hala Pass."

Three years later, on January 29, 1892, Duppa died—at home and from pneumonia. Duppa willed his property to the doctor but since he had always drawn heavily on his inheritance, the remainder probably did not amount to much. He left his gold watch and whatever remittances were in transit from England to Mr. J. H. W. Jensen, his favorite tavern keeper.

In 1910 the Maricopa Chapter of the Daughters of the American Revolution marked his grave in the Odd Fellows' section of the old cemetery in Phoenix and in the spring of 1921 directed the removal of his remains to a lot in Greenwood Cemetery, donated by the Masonic Lodge, and dedicated the new grave in an impressive ceremony.

Dr. Omar A. Turney decided to check the background of the man who had so prophetically named Phoenix. Dr. Turney got in touch with members of the Duppa family who, to his surprise, were still using the original spelling of "de Uphaugh."

To get an unbiased picture, the doctor wrote to civil registrars in England and discovered that, although Duppa had no claim to the title "Lord," he was of the eleventh generation listed in Burke's *Landed Gentry* of 1838. Turney found Duppa's family tree laden with members of Parliament, knights and barristers; it included the academic Bishop of Winchester, tutor to Prince Charles, later Charles II.

Duppa never referred to his distinguished ancestors, and one wonders if perhaps it was part of his puckish humor to spoof the snobs.

Once more, the Duppa story is catching the interest of Phoenicians. Thanks to the Arizona Museum in Phoenix, the Duppa-Montgomery Homestead has been restored. The house, located at 116 West Sherman Street, is only a few blocks from Phoenix' main business section and is certainly worth a detour if only to marvel at the basic construction of the 100-year-old adobe building.

If nothing else had been put on Duppa's tombstone, the remark of his friend, John P. Orme, would have been appropriate:

"He had his queer days."

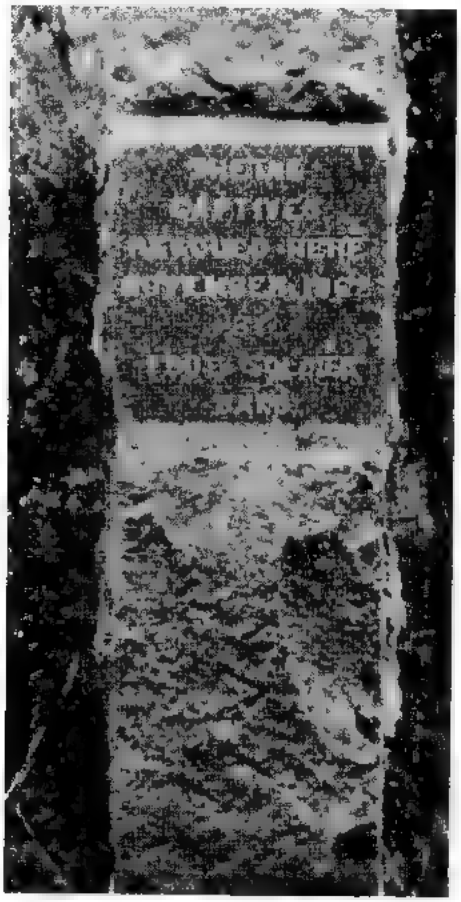
Fool Soldiers

(Continued from page 33)

about twelve years old; Mrs. Julia Wright and her five-year-old son; Lillie Everett, about six years old, whose mother had been killed at the time of the massacre; and two girls by the name of Ireland.

While held by the Santees, the women had been treated with utter contempt, traded by the Indian men for their pleasure, kicked and abused by the Indian women. They were made to do menial work around the camp, tending fires, carrying wood and water, putting up Indian lodges. Their clothing had been taken from them and they were wearing rags and discarded Indian moccasins when rescued.

Pattee and his men cooked for them, provided a tent, a Sibley stove and



Close-up of Fool Soldiers Monument.

blankets and took up a collection of money. He was instrumental in sending a letter to a Sioux City paper and a Cedar Falls paper listing their names and ages to notify relatives or friends who could help them, and then sent them with an escort back to Fort Randall to be quartered with his wife there until they could be conducted back to civilization.

As soon as the Shetak captives reached Fort Randall and the haven of Colonel Pattee's home, Mrs. Duly promptly went to bed and "was not able to sit up for fifteen days." But rest and food improved the health of all and they were able to travel again twenty-nine days later. Brigadier General John Cook came to get the group toward the end of December and took them down the river to Yankton Agency in Dakota Territory, then to Sioux City, Iowa. Mrs. Wright's husband met them at Yankton Agency. Lillie Everett's father appeared at Sioux City to claim the little girl. The others continued to Fort Dodge, Iowa, where Mr. Duly arrived to greet his wife. The men had supposed their families were killed during the massacre until alerted by the newspaper notices of their rescue and safety.

Mrs. Duly's health and spirit had been broken completely by her sojourn with the Indians. Three weeks after she rejoined her husband, she lost her sanity "and became a harmless imbecile" according to Colonel Pattee's report. Little Lillie Everett grew up and married W. R. Brown of New York City but the others dropped out of sight.

Pattee claims that, having assured himself of the safety of the group, he made a full report to the United States Government and urged that a liberal allowance be made to the Fool Soldiers for their part in rescuing the white captives. He said, "I had been informed that the United States Congress had appropriated $2,400 to pay those Indians for their trouble and was greatly pleased that the government had recognized the obligation."

On the other hand, five of the Fool Soldiers band later swore to Doane Robinson, South Dakota historian, that they had never had a cent paid them in any way. They had rescued the women and children on their own initiative and paid with their own goods for the coffee and sugar which they used as trade to the Santees for the captives' release.

From the Indians' standpoint, it was certainly a dangerous thing to do. Martin Charger and his friends were not only part of the great Sioux nation as were the Santee Sioux who held the prisoners, but they were a part of the great Sioux nation actively engaged in harassing the whites as a general policy. They had committed an act that could not be forgotten, although it took a long time before the whites publicly gave them any credit.

MARTIN CHARGER became one of the principal leaders of his tribe, speaking in their behalf at Washington, D.C., when negotiations were being made for the Black Hills Treaty in 1875. Whenever problems of land sale were being discussed with the United States government, he appeared as an Indian representative. He accepted the white men's way so wholeheartedly that he lived in a forty-foot log house and devoted himself to farming for an income.

He fought for schools and churches for his people, for a native Indian police force rather than white surveillance, for the championship of his people wherever it was needed. He served as Judge of the Indian Court for many years and was instrumental in leading his people to lasting friendship with the whites.

Forty-seven years after the rescue by the Fool Soldiers band, the South Dakota Historical Society erected a granite monument upon the site where the Shetak captives were rescued by the Indian men. On the stone were chiseled the words: "Shetak Captives Rescued Here November 1862 by Fool Soldiers Band." The Old Settlers' Association of Walworth County provided a suitable base, dedicating it June 16, 1909.

The story might have ended there except for the fact that the monument began to move—not of its own volition, of course, but it would not stay in one place. Shortly after the dedication, Mobridge constructed a park near the cen-

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ter of town and the monument was moved there. Later, the town fathers developed Riverside Park two miles west of town, and the migratory marker was moved to Riverside Park, about a mile-and-a-half from the actual scene of the rescue. It remained there until recently.

At the present moment the waters of Oahe Dam on the Missouri River are rapidly backing over the lands below Mobridge. The site of the Indian camp where the Shetaks were rescued is covered. Riverside Park will soon be under water. The marker must move again, to higher ground.

Mobridge, too, has recognized the humanitarian act of a band of Indians at a time when whites did not expect such treatment. Mobridge's recognition appropriately uses the talents of a Sioux artist, Oscar Howe, who painted a mural of lasting beauty on a wall of the city auditorium. The mural shows the two women with their children in a Red River cart (a rough two-wheeled vehicle used in frontier days particularly in the country around the Red River of the North) with their Indian escorts protecting them as they journey across the plains.

Now a professor of art in the University of South Dakota at Vermillion, South Dakota, Oscar Howe has become acclaimed as one of the foremost Indian artists of the present time.

Fool Soldiers? Perhaps they were . . . but they were a band of Indians who made that name symbolic with the highest honor man can achieve. They acted in kindness, knowing they had only the possibility of derision or hostility as reward. No one can do better than that.

Fool Soldiers Monument in City Park, Mobridge, South Dakota.

The Maxwell Empire

(Continued from page 27)

London got into the act. They wanted to build an empire, too, and they began a series of lawsuits which almost drove Maxwell out of his mind.

On top of this, his favorite daughter, Virginia, vowed she would marry Captain A. S. B. Keyes of the U.S. Army, the Indian Agent at Cimarron, over the steadfast opposition of both of her parents. L.B.M. had selected a son-in-law from the other side of the Rio Grande, and never forgave her. When Virginia and her Captain were married on the third floor of the grist mill, it had been decorated for the occasion, but L.B.M. and Luz were not present.

The marriage, however, was both happy and successful.

AT THIS TIME the Cimarron country was as interesting and picturesque as any in the West. It is small wonder that Lucien Maxwell became attached to it. Within horseback and stage distance were Fort Union, Taos, Elizabethtown, Rayado, Red River, Ocate, Mora and Las Vegas. Trappers, explorers, buffalo hunters, Indians, soldiers, and adventurers of every sort visited Maxwell, who was a good host.

His tables were richly set; Spanish lace tablecloths and exquisite silver service gave an elegrance rarely equaled on the frontier. He kept fine carriages and horses to show his visitors around. Many a travel-weary sojourner went out of his way to visit Lucien Maxwell.

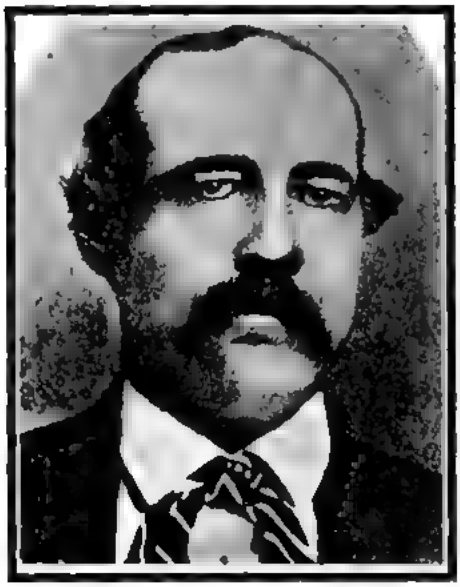
More gold was discovered on the grant and another influx of prospectors and squatters challenged Maxwell's ownership. By 1870 the Aztec Mine at Baldy had delivered up $1,000,000 in gold. For some reason, gold did not interest Maxwell, despite the fact that he was forced to sell considerable acreage in order to secure funds to meet the avalanche of lawsuits being instituted against him. Although his title was affirmed time and again, the constant harassment worried him greatly. He finally decided to dispose of his empire in order to find peace of mind.

Maxwell got in touch with an Anglo-American syndicate and, almost before he was aware of it, he had signed away a fabulous estate, an area so vast and wealthy that few even dreamed of its inherent value. The selling price was $1,350,000 and with it he planned to start again.

He decided to take over the old Fort Sumner property, then in San Miguel County. The post had been abandoned by the government after the failure to compel the Navajo Indians to live there. He moved his family into a wing of the old officers' quarters. The holdings commanded thousands of acres along the Pecos and L.B.M. purchased the improvements and brought cattle over from the Cimarron country. With his faithful helper Jesus Silva, he started the new ranch.

But it was not to Maxwell's liking. The Sumner country could not compare with the Cimarron with its long-stem gamma and blue grass, its sweet, clear water, its year-round range.

He began a series of financial deals which eventually led him down a long trail to poverty. He spent $150,000 for 1,270 shares of stock in the First National Bank of Santa Fe and lost the



Above, Fort Sumner, about 1880. Right, Lucien B. Maxwell.

investment in a short time. In order to recoup, he poured what cash he could into some railroad investments, again losing everything.

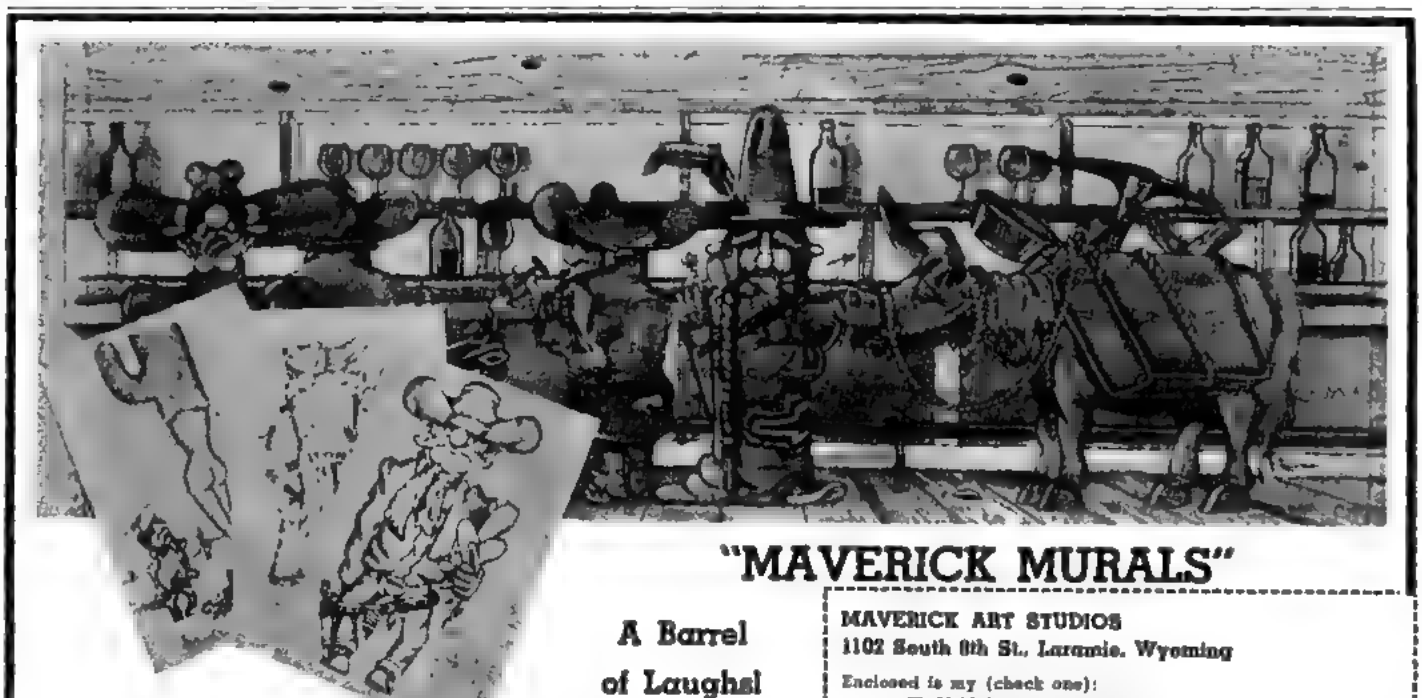
Heartsick, he turned back to Sumner and his enterprises there. He ran almost 9,000 cattle along the Pecos, securing some government contracts for beef which gave him a little financial relief. He had a very fine remuda built up until raiding Comanches began to harass him. The forays became so severe that Maxwell had to send riders across the Staked Plains to recover stolen stock.

By the late summer of 1875 the money obtained from the sale of the grant had almost vanished. He had to have more funds. Maxwell learned that Matt Lynch of Trinidad was interested in purchasing the Big Ditch, forty miles long, which conveyed water to the mines at Elizabethtown. Maxwell named a figure that was irresistible and the deal was consummated. But this money, too, slipped rapidly through the one-time land baron's fingers. Most of his dreams had turned to dust. He was desperately homesick for the Cimarron country. But it was now too late.

Maxwell became ill, then bedfast. His condition worsened rapidly. A rider was dispatched to Las Vegas for a doctor, with remounts stationed every twenty miles to expedite his arrival. However, upon reaching Elkin's ranch on the Pecos, Dr. J. S. Shout learned that Lucien B. Maxwell was dead. The date was July 25, 1875.

Maxwell is buried at Fort Sumner. His devoted wife, Lus, survived him almost twenty-five years. She died July 13, 1900.

Maxwell filled his niche in the history of the Southwest. He left descendants who became outstanding citizens. Colorful and intensely human, his failings somehow ennobled him. Had he been hard, cold and calculating, the grant might have remained in an iron vise, inaccessible to the commonweal, to settlement and progress. As it was, the vast domain was split up into hundreds of enterprises. Peace to his ashes!



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The Greenwoods say goodbye to visitor Espey Miller in front of their standing invitation to return. The poles holding the sign are vegas or rafters from an old watchtower at Fort Cienaga.

Don Milton Faver: Founder of a Kingdom

(Continued from page 19)

long before. The Poola were able to inform Faver that the man he supposed he had slain had not died, but recovered. Almost visibly, it seemed, a burden took flight from the spirit of Don Milton and a tremendous relief spread over him.

Amy Greenwood said that all through her girlhood she had heard her grandparents talk about Milton Faver. She remembered many incidents about his activities and character. The Greenwood home, the old fort, has four rooms in a row, two on either side of the sallyport through which teams and wagons could be driven into the corral at the rear, called the muralla or rampart. Now the entryway is the Greenwoods' kitchen. The walls are of adobe three feet thick.

"Every window in all the rooms," Amy Greenwood said, "once were small loopholes for the firing of guns. We have enlarged them and put in glass and panels."

One room has been kept as it originally was, with an earthen floor and a high ceiling supported by crooked, smoked, time-hardened old cottonwood beams. In Faver's day a door led from this room into a great round-bodied tower. This tower, as well as one at an opposite corner of the muralla, has long been only a memory.

The pleasant home is in a veritable wildwood of great cottonwood, ash, and fruit trees, native brush, planted shrubbery, and varieties of flowers—a marked contrast to what the Don's peons saw in their day. Three steps from the front porch flows "Little River," a foot-wide stream that tumbles down from the spring on higher ground—the spring that attracted Faver's, and the Indians', attention more than a century ago. Its flowing has never stopped. It never freezes. On cold mornings a mist rises from it.

Don Milton built sturdily, for keeps. The fences of fieldstone forming pens or lots for horses, cows, pigs and poultry, and garden plots, and the enclosure for the peach orchard still stand, though not

Cienaga is now the home of Hart M. Greenwood and his wife. The tower was at the far left. The photo was taken in 1958.

even the ghost of a peach tree is left. The rock fences are about four feet wide at the bottom, slanting up to two feet in width at the top and are breast-high to an average man.

The peach brandy was no myth. The Greenwoods said that Faver sold brandy by the keg to the sutlers at Fort Davis. The late Nick Mersfelder, Fort Davis justice of the peace and barber for forty years, once told me he had "tasted the stuff" and that it was better than good.

Mersfelder was not the only one to speak of the brandy. In 1886 the first general roundup of drifting cattle in the Davis Mountains-Big Bend area started from near Fort Davis with seventy-five owners and cowboys. They rode southward ninety miles to the Rio Grande. In the party were W. T. (Bill) Jones and Jesse W. Merrill, both gone now. They told that in the vicinity of the forts, Faver served brandy to any of the cowboys who would hold a tin cup under the gurgling mouth of a big jug as the Don poured. Jones avowed that Faver's wife, who had been Francesca Ramirez, was the most beautiful woman he ever saw.

During the great roundup through his kingdom, Faver appeared at the end of each day's drive with horse and buggy and jug, ostensibly to serve brandy but

Mrs. Ira Cline displays a portrait of her father, Juan Faver, son of Milton Faver. Juan died in 1913.

actually to keep a shrewd eye out that careless riders did not include any of his F-branded cattle with the brands of other owners.

Faver's way of tallying cattle sold to buyers was to receive in his hand the price of each animal as it passed the counting point. This prevented argument about the number and the payment. Faver sent herds up the trail to Abilene, Hays and Dodge City from 1868-1884.

Don Milton paid his male Mexican retainers one bit (twelve-and-a-half cents) a day, along with food, clothing, shelter, and whatever medical attention was available.

The national census of 1860 listed Faver as thirty-nine years of age, a native of Missouri, with real estate valued at $4,500 and personal property at $25,000. This put him in the millionaire class for his part of the country.

Faver had a son, Juan, who inherited some or all of the estate. It still is mentioned wryly that in the 1880's cattlemen came from eastward in Texas with nothing much but horses, cowboys, ropes and branding irons and that in proportion to their acquiring cattle, Don Milton's wide-

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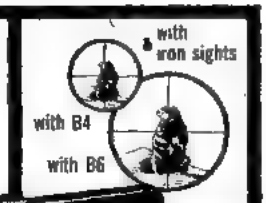

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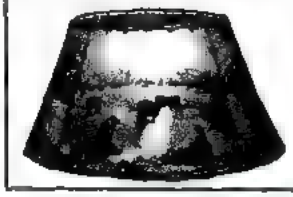

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Portrait of Milton Faver.

ly roaming, unattended herds of the hills and canyons decreased.

So nothing much was left for Juan to inherit. John Pool, Amy Greenwood's grandfather, eventually acquired the Cienega country to which Faver actually had no legal title but only squatter ownership to the water sites.

Henry Daly of Presidio, Texas, nephew of Don Milton Faver.

Left, Mrs. Ira Cline, Don Milton's granddaughter, and her mother, Gumerscinda Faver, Faver's daughter-in-law.

That Faver was not a "Lone Grandee" in a wilderness but kept in communication with his kin, is evident. In the late 1880's a Mr. and Mrs. Bill Noel came from Kansas and remained in the Big Bend for a few years. She was Faver's sister. Don Milton died two days before Christmas in 1889 at Cibolo and was buried there. Mrs. Noel, it is said, remained to assist in settling the estate after her brother's passing.

Doc Holliday

(Continued from page 25)

ease the pain. In later years, Wyatt Earp, one of the few friends Doc ever took the trouble to make, told Stuart Lake that Holliday would polish off great quantities of whiskey before breakfast, and was actually most dangerous when he was not drinking.

In Dallas, he drank, he gambled and pulled teeth. Gradually the latter activity was eliminated altogether. Holliday became known as a sharp dealer; many men and women who called him "Doc" would have been amazed to learn that the title was genuine.

After a drunken shooting scrape in which, fortunately, no one was hurt, Doc left Dallas and went to Fort Griffin, then one of the hairiest towns in the Lone Star State. From this point, Doc's activities have been pretty well documented—his on-again, off-again romance with Kate Fisher, his almost fanatic attachment to the fighting Earps, particularly the quiet Wyatt and the hell-for-leather Morgan, his offer to fight a handkerchief duel with handsome John Ringo.

After the Earp crowd left Tombstone, Doc went his own way. It is said that Doc and Wyatt had words. True or not, it is certain they never saw each other again after they separated in Colorado.

Doc's disease had so wracked his body that he became absolutely unconcerned about his future. He wanted to die and would fight anyone or any group with fists, firearms or blades. Finally, after a hard winter in Leadville, he went to Glenwood Springs, a resort where, he

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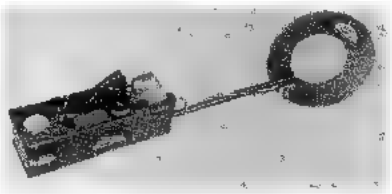

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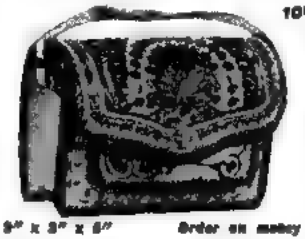

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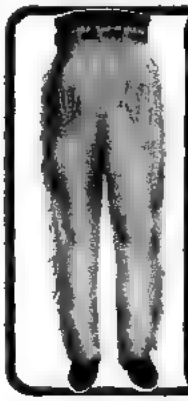

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hoped, he would be helped.

But no one can live anywhere without money, so he earned himself some. On one occasion, when the great builder of railroads, John Kyner, was trying to get some track construction done near Glenwood, he was bothered by saloons which had been established near his camp. His workers were spending more time in the saloons than they were on the job. Kyner tried to get rid of the whiskey peddlers, but they refused to quit their bonanza. Kyner was introduced to Doc, and the little gunman offered to get rid of the saloons for $250. Kyner paid him and the saloons folded. In his excellent autobiography, *End of Track*, Kyner referred to him as "Doc Halliday." Apparently the Tombstone story had not spread through the West.

That was probably Doc Holliday's last job. In 1887 the gun-fighting dentist who had tried his damndest to die standing up, smiled wanly as he lay between clean hospital sheets and said, "This is funny." A few minutes later the man from Valdosta was dead.

"Just a minute—I'll empty them socks an' drawers an' make some coffee!"

Groundhog's Gold

(Continued from page 17)

someone finding his mine during the winter months, which made people presume that it was at an elevation as high or higher than that of Fairplay, 9,964 feet above sea level.

Buzzard always brought a sack of nuggets with him, exchanging them for currency and coins. His nuggets were usually better than ninety-eight per cent pure gold, but the banks were conservative and accepted them at only $9.00 to the ounce—highway robbery, yet Buzzard did not complain. There was always more—much more—where that came from.

Buzzard once told a saloonkeeper in Fairplay that he had made his discovery after shooting a groundhog. Colorado "groundhogs" become very fat during the summer months and live in hibernation in deep burrows during winter. The older ones sometimes weigh as much as twenty pounds. According to the story, when Buzzard picked the dead animal up, he noticed small-sized nuggets in the mound of earth piled in front of the burrow. Digging down, he struck a vein or layer of gold that became richer and richer as he followed it. He did not say where this vein was located and the saloon-keeper, knowing the answer he would get, did not bother to ask.

As soon as the spring buds were out, Buzzard would make his way back to the place of his discovery, pausing here and there until a good rain hit. Then off he would go in the middle of the night while the rain obliterated the trail behind him. The general direction of his movements was north, but how far north was a matter for general speculation. Buzzard always carried a rifle in a saddle scabbard and a six-shooter slung from his belt to discourage those who might be tempted to follow him.

In May, 1869, John Gregory had made a great strike at Central City. Almost overnight Fairplay's population decreased as men hurried to the new field.

ABOUT THIS TIME a strange thing happened. A woman named Lulubell Lockhart, a prostitute in Denver City, told a printer employed by the *Rocky Mountain News* of a dream she'd had. She said it was more like a vision than a dream, for she had clearly seen a man she knew only as Buzzard kill a girl in Fairplay with a knife after beating and raping her. The girl's screams had been stifled by a large red handkerchief Buzzard had used as a gag. Moreover, she said, Buzzard was a very wealthy man, having found a tremendously rich gold deposit that he was concealing from the world. He was an evil man, according to her dream, and should be punished.

Suspecting that the woman and Buzzard had a falling out and that she was trying to cause him trouble, the printer repeated the story to William N. Byers, publisher of the *Rocky Mountain News*.

Byers had heard of the murder at Fairplay and sent John L. Merrick, a reporter, to investigate. The *News* had just started that spring and was being careful about involving innocent persons in scandal. Merrick was told to be thorough, and he was. He did not find Buzzard but talked with all the townspeople who knew anything about the murder. He finally wrote out a report on it and submitted it to Byers, who declined to run the story on the grounds that it was libelous unless backed up by eye-witnesses.

Having caught the gold fever while away, Merrick took off for the mining camps and with him went the report, which many years later was to serve as the main source for the facts contained herein.

People in Fairplay eventually heard of Lulubell Lockhart's "vision" and interpreted it to mean that Buzzard had confessed the murder and the woman, having for some reason turned on him, was striking back by accusing him of the slaying.

One September day a horse, bearing an empty saddle, and a pack mule wandered into Boulder. Blood on the saddle indicated something quite tragic had happened to the horse's rider. It had. Two or three days later some men came upon the body of the man known as Buzzard beside a trail, with a bullet hole just over his heart. Buzzard's pockets were turned inside out; not a thing of value remained on the body.

When winter set in that year, Adolph Hockmeyer left Fairplay and was never seen there again. Some said he returned to Germany—on the gold Buzzard had on his person when slain.

The unpublished report that Merrick wrote out for the *Rocky Mountain News* somehow fell into the hands of Newt Ross, who was in Fairplay from early 1858 until 1860. Ross later moved to San Francisco and in 1930 his grandson, James Addison Ross, a newspaper

Through the courtesy of the Denver Public Library Western Collection, these prints from PENCIL SKETCHES OF COLORADO by A. E. Mathews (1866) of Central City (above) and Blake Street in Denver (below) were made available to TRUE WEST.

reporter on the San Francisco *Bulletin*, teamed with me in rewriting the original story. From it has come this version, containing every known fact concerning the case.

If Buzzard's gold discovery was ever found, it was never identified as such. Many big and small strikes were made over the years in Colorado; it's possible someone did find it. And it's just as possible that it has never been located.

So in case any of you decide to look for the treasure, go north from Fairplay and keep a sharp eye out for groundhogs—one of them may be a millionaire!

Fist Full of Fire

(Continued from page 13)

were so easily concealed and so effective that many undercover agents carried them in World War II. If both shots missed, the derringer could instantly be reversed in the hand and used as an efficient brass knuckle.

The Colt's Patent Fire Arms Manufacturing Company produced three derringers, all in the traditional derringer calibre, .41 rimfire. The first model, a rather awkward looking gun, was known as the "National." The other two more popular breech-loading Colt derringers were exceedingly slim and compact, being only four and three-fourths inches long and weighing only six-and-a-half ounces.

The variations on the derringer theme were endless. One little number put out in the post-Civil War period by the American Arms Company of Boston was a double-barreled affair which fired one .22 and one .32 cartridge. The Chicago Firearms Company manufactured a bizarre type of derringer that hardly resembled a gun at all; it was fired by pressing the palm of the hand against a large lever.

Miniature derringers were also made; some .22's measured less than two inches long. William Marston and Company put out an odd three-barrel over-under derringer. At the height of the derringer popularity, dozens of companies were turning them out in practically every conceivable design.

The derringer holds a unique place in American history. It is one of the few, if not the only weapon, that enjoyed equal popularity in the drawing rooms of elite Easterners and the sleeves or boot-tops of rough and tough frontiersmen. Gentleman or cowboy, banker or riverboat gambler, traveler or road agent, the derringer appealed to them all.

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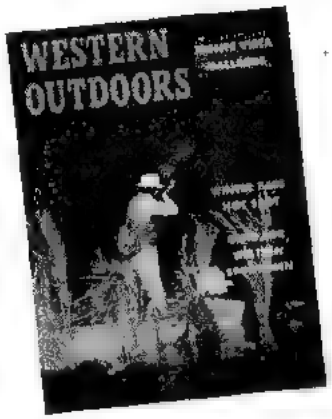

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THIS OFFER VOID AFTER JUNE 15, 1962

Battle of 100 Slain

(Continued from page 24)

remembered that he was not an official member of either the cavalry or the infantry.

THAT THE FIGHT was vicious was proved by sixty-eight pools of frozen blood where Indians were killed or badly wounded in this first location. With Lieutenant Grummond were found the bodies of several enlisted men.

The cavalry tried to fight its way back to the infantry but could not break through the mass of mounted Indians in time to present a united front. The infantry had advanced to the protection of large rocks at the northern edge of the plateau. This portion of the fight did not last long. The Indians surrounded the foot soldiers on three sides, arcing arrows from concealment beneath the plateau into the infantry ranks.

One warrior watching the scene said there were so many arrows in the air that they looked like swarms of grasshoppers in flight. Several Indians were killed or wounded on both sides of the plateau by arrows passing over the defensive position. The Indians estimated that there were as many warriors engaged as there were in the Custer fight.

When the numbers of the infantry had been sufficiently reduced by the arrow fire, the remaining infantrymen were overcome by an overwhelming rush of warriors.

After this mad rush, the cavalry fought its way up onto the plateau and temporarily cleared the area of Indians. Captain Brown fell while trying to reload his carbine. His death caused the remaining cavalrymen to lose heart. They dismounted and released their horses. Until this happened, the Indians believed the cavalry would fight its way through to the fort, but with the release of the horses, the Indians knew that victory was theirs. The fight was soon over. The final engagement of the dismounted cavalry took place near the same rocks the infantry had used. The same tactics were employed and the bodies of the cavalrymen were found intermingled with those of the infantry.

The progress of the cavalry could be followed by the location of the bodies of men and their horses, all of which were found on or near the Bozeman Road.

Fetterman had paused for a time on the ridge and then had advanced down to the plateau. It was not earlier than 1:30 when he halted on the ridge. Add half an hour for this hesitation and for the advance into the valley before the fighting began. Heavy firing was heard for an hour, making it approximately three o'clock in the afternoon when the Fetterman disaster was complete.

According the Senate document, Captain Ten Eyck reached the battle site at 12:45. He must have arrived just as the fight was over—approximately three o'clock. This is two hours and fifteen minutes after the Senate time.

Officially, Captain Tenedore Ten Eyck left the fort eighteen minutes after the first shots were heard at twelve o'clock. He was accompanied by forty-five men, an ambulance and two wagons. Extra ammunition for both Ten Eyck and Fetterman was carried in one of the wagons.

If the hour of departure was correct, Ten Eyck would have arrived at the battle scene before Fetterman. It is quite apparent that if Ten Eyck had been dispatched when the first shots were heard

on Sullivant Hill, he went in the wrong direction.

Carrington believed Ten Eyck followed the wrong route in going to Fetterman's relief. A reference was made in a note to Ten Eyck that he would have arrived in time to aid Fetterman if he had gone directly to the site as directed. This belief is further corroborated in the Senate document.

"He (Ten Eyck) moved out and advanced rapidly toward the point from which the sound of firing proceeded, but did not move by so short a route as he might have done . . . . Whether he could have reached the scene of action by marching over the shortest route as rapidly as possible in time to have relieved Captain Fetterman's command, I am unable to determine."

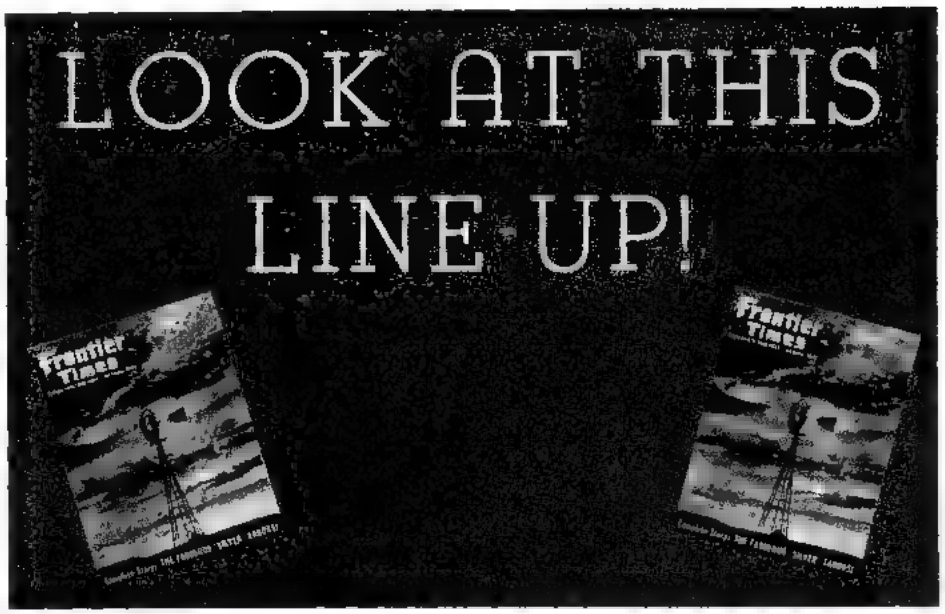
IN REALITY, Ten Eyck could have followed no more direct route than the one he chose, straight north over the Bozeman Trail. He was under observation by the personnel at the fort and the picket on Pilot Hill almost every step of the way. Ten Eyck arrived at the scene of the disaster just as it was over. What we have to do is to establish the exact time of that arrival.

The event created a blot on the career of Ten Eyck and was the basis of accusations of cowardice. The stories of enlisted men refuted the charges but Ten Eyck was not completely cleared until 1908 when General Carrington (retired) rode over Ten Eyck's route to the battle scene. General Carrington stated then that it had required him more time, with a horse and buggy over a surfaced road, than Ten Eyck had taken forty years before.

What had happened to delay him en route? According to the enlisted men, there had been no worry over the absent detail until it could be seen that Fetterman was making no progress toward the fort. Evidently they expected him to return via the Bozeman Road and were not worried until he had passed over the divide and was halted in the valley of the Peno. The same sources reported that it was not until two or two-thirty in the afternoon that Carrington sent Ten Eyck to assist Fetterman.

This would place Ten Eyck on the scene just as the fight was finishing at approximately three o'clock. The later start would account for the time said to be lost somewhere along the route. The later hour of arrival would also explain why no attack was made on Ten Eyck by the Indians—it was too close to sun-

"I DID smile when I said it!"



Twenty-seven distinct and separate features! We feel we've really got something to sell in the Spring issue of FRONTIER TIMES, on sale at your favorite newsstand now. This is the biggest line-up of stories we've ever published in any single issue—and you can buy it for the same old price, 25c! Look at what it contains: fifty-three priceless Old West photographs; eight side-splitting cartoons; illustrations by your favorite artists; an enormous letters department; and one of the most beautiful covers you've ever laid eyes on!

It may seem like we're bragging (and maybe we are, being real proud of this issue!) but just take a look at this list of principal features and decide for yourself if there isn't more here for your money than you could buy anywhere.

SILVER KING—H. A. W. Tabor soared to wealth with Colorado's silver boom and collapsed when it collapsed. After years of pampered luxury, his wife and child were thrown into disgrace and poverty.

SILVER QUEEN—Beautiful Elizabeth McCourt—"Baby Doe" to the miners in Central City—flirted with and ultimately married Colorado's millionaire-of-millionaires. When his wealth was gone, she clung to the hope that his deathbed advice, "Hold on to the Matchless!", would finally pay off.

SILVER PRINCESS—William Jennings Bryan gave the child her name—Silver Dollar—predicting for her a brilliant future. But her star faded quickly and plummeted to ashes in the Chicago slums.

THE LAST STAND OF ALMIGHTY VOICE—One of the biggest manhunts in Canada's history was launched to capture or kill a young Cree Indian.

CLASH AT COLUMBUS—Pancho Villa led a surprise attack across the border, striking Columbus, New Mexico, with unmitigated fury.

ESCAPE FROM DEATH—Only a mountain man, trained in the wilderness, could have survived the ordeal that old Tom Fitzgerald faced on his way to a trappers' rendezvous.

I SAW THEM STACK THEIR GUNS—"The biggest gunfight started right outside our store. When it was over, one Mitchell lay dead and a Riggins leader was badly wounded."

OLD BEN MOSS AND FATE'S CROOKED SMILE—Ben Moss thought he was the luckiest man in the world when his burro led him to one of southern California's richest gold strikes.

THE FIGHT FOR OJO CALIENTE—Always outmanned, always on the run, Victorio wanted only to return to the land promised his people by the United States Government.

HOW TO CHOOSE A COUNTY SEAT—1885 STYLE!—Speculators vied to establish their townsites as the most important in Stevens County, Kansas.

WHITE OAKS—A fugitive from the law made one of New Mexico's richest gold strikes in the mountains between Albuquerque and Carrizozo.

KING OF THE BURRICANE DECK—Clayton Danks rode Steamboat, one of the West's most famous rodeo bucking horses.

THREE-FINGERED SMITH—Misfortune dogged Three-Fingered Smith. He stood up under all adversity, however, until the last of his responsibilities had been effectively discharged.

THOSE RUGGED VOYAGEURS—Early in the history of the Canadian Northwest, voyageurs—the men who canoed furs from far-flung trappers' cabins back to civilization—were glamorously cutting trails through the mountain wilderness.

THE PLACE TO FIND YOUR REPUTATION IS WHERE YOU LOST IT—As far back as he could remember, David Grant Tucker longed to be somebody.

A BOY ON THE FRONTIER—Indian raids, nights on the trail, desperate rides, were all a part of the boyhood of John Ware.

THE BATTLE OF SUGAR POINT—The Indians didn't win many of the battles with white troops during the frontier days, but one group closed out its record book with a mark to their credit!

NEVADA'S LARGEST GOLD NUGGET—Charles Keisel stole a $4,000 gold nugget—but turned himself in!

THEY KNEW WHAT TO DO—Isolated in the Oklahoma wilderness, pioneers had to become their own doctors, curing themselves and their children with remedies developed from such natural sources as broomweed and bessie-bugs.

THE DAY OLD BAT STOOD OFF FIFTY SIOUX—But Pourier lived near Wounded Knee Creek during the Ghost Dance uprising of 1890.

MIGRATION TO UTAH—A trek by wagontrain across the Plains had all the excitement, danger and suspense the new generation associates with a trip by rocket to the moon. Abba Ross Young followed the trail from Tennessee to Utah and, shortly before her death, wrote an account of all that happened along the way.

THE HICKOK-TUTT DUEL—Wild Bill shot Dave Tutt—because the latter had dared to wear a watch won in a poker game!

THIRTEEN U.S. SOLDIERS—The mystery concerning the marker for thirteen unknown soldiers is finally solved.

THE UNIQUE TREASURE—Four jokers made this search for old Spanish guns and armor a bad deal.

DESERT SWINDLE—Monarch, Nevada, flowered for a day, then was forgotten forever.

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down, which at that altitude, latitude and time of year, occurred very early.

In Ten Eyck's own statement concerning the battle, he said that Carrington, after hearing the first shots around noon, sent Hines, a surgeon, and an orderly to report to Fetterman. Curiously enough, the direction that Doctor Hines took was west of the fort, evidently over Sullivant Hill, confirming the Indian story that the first shots were fired at the wood train location. The surgeon and orderly returned to report that they could not locate Fetterman and that they had seen numerous Indians on the west slopes of Lodge Pole Ridge. Carrington then sent Ten Eyck to reinforce Fetterman.

Ten Eyck's men had to pause at the North Piney to remove their shoes and socks to wade the stream. During this pause, Carrington's personal orderly, Sample, mounted on Carrington's horse, joined the expedition to serve as courier between the relief column and the fort. Sample was the orderly sent with the surgeon to report to Fetterman earlier.

Proceeding with skirmishers thrown out to protect his front and flanks, Ten Eyck advanced to the top of the divide. From this vantage point, he sent the orderly to report that Indians in overwhelming force were threatening to attack him. He asked for reinforcements and a howitzer.

The Colonel answered, "Forty well-armed men, with 3,000 rounds of ammunition, ambulances, etc., left before your courier arrived. You must unite with Fetterman, fire slowly and keep your men well in hand. I ordered wood train in, which will give fifty more men to spare." This is the note as it is generally quoted—the loss of time and the detour are omitted. Again this note reads like something being written for the record.

The forty men arrived without the howitzer. The reason given was that Ten Eyck had no men familiar with the operation of howitzers. The real reason was probably the lack of time.

Ten Eyck selected his best marksmen to fire upon the Indians lingering on the plateau. While causing no casualties, they did drive the Indians down to the main body in the valley below.

Posting a man as sentinel on top of the divide to warn of any encircling movement, Ten Eyck advanced a line of scouts in front of his men and started down the hogback toward the battlefield. He could see the rock formation which had provided the last cover for Fetterman's men. Around and in it were what the relief party thought were weathered cottonwood logs. Soon one of the advance scouts reported the cottonwood logs were in reality the bodies of Fetterman's men.

Their discoveries that day and the next roughly confirmed the later Indian story of the battle. The location of the bodies, pools of blood and dead horses, defined the route and progress of action.

The body of Captain Brown was found alongside two quartermaster employees and an enlisted man. Over fifty empty cartridges were found near the body of Wheatley and almost that many near Fisher and the enlisted man. The bodies were so pincushioned with arrows that the shafts had to be broken before the men could be loaded in a wagon.

It could not be clearly established whether the four men were covering the retreat of the cavalry or whether the other three had remained to prevent mutilation of Brown's body. This is entirely in keeping with the loyalty the quartermaster employees felt toward Brown.

At the time of the fight, each of Fetterman's men had less than twenty rounds of ammunition and part of these had been expended before the detail arrived at the plateau. Extra ammunition accompanied the reinforcements under Ten Eyck.

This would seem to prove that lack of ammunition had a definite bearing on the outcome of the fight. Carbines, using rimfire Spencer ammunition, were used by the cavalry and muzzleloaders by the infantry. Although the Spencer carbine had a seven-shot magazine, it was probably used as a single shot rifle in the fight. One of the complaints made about the Spencer was that enlisted men wasted ammunition; as a consequence, a cut-off on the magazine had been developed, converting the repeater to a single shot.

Due to the shortage of ammunition at Fort Kearny, the Spencer was probably never used as a repeater. Not one word was written in reference to the Spencer as a repeater by officers, enlisted men or the Indians. This would appear to be the tragedy of the disaster. They had the means to win their fight but were prevented from doing so.

Carrington stated that Fetterman and Brown ended their lives in a mutual suicide pact. "As Brown always declared he would reserve a shot for himself as a last resort, I am convinced that he and Fetterman fell by each other's hand rather than undergo the slow torture inflicted upon others."

While such an ending is fully in keeping with the popular dime novels of the day, it really doesn't fit the facts.

All of the bodies, with the exception of two men, were scalped and mutilated. Indians had supreme contempt for those taking their own lives, and would not scalp a soldier who had done so. The enlisted men not scalped had buffalo bags drawn over their heads, the significance of which has not been explained.

Fetterman and Brown did not fight in the company of each other during the final phases of the battle. Brown was slain at the point of the cavalry's farthest withdrawal. Fetterman died earlier with the infantry.

MANY YEARS after the fight, American Horse stated emphatically to Captain James Cook, the close friend of Red Cloud, that he, American Horse, had killed Fetterman by knocking him off his horse with a war club, finishing him with a knife.

Both Fetterman and Brown had gunshot wounds in their left temples and a wound in the left temple is a very awkward location, even for two men facing each other. Very precise timing and evenly matched muscular reflexes, under very trying conditions, would be necessary.

A far more simple explanation is that both head wounds were coup de grace shots supplied by the Indians after the officers fell. An officer, serving later in the Colorado Territory, said that when they found men with the coup de grace applied by clubs, it was regarded as squaws' work. Judging by this information, warriors applied the final stroke to Fetterman and Brown.

The Indian loss in the fight was stated by Red Cloud and others to be but fourteen, yet in the area around Grummond's corpse, sixty-eight pools of blood were counted where Indians had been killed or badly wounded. Up the hill from this location, at the spot of the second stand, the group of four had fired over a hundred shots. These could not have all been misses at this close range. A few had been killed by the infantry, but very few due to the fact that the Indians hid below the brow of the plateau. This may have been the few numbers to which the Indians were referring.

The Cheyennes said that the Sioux dead were laid out in two long rows, numbering fifty to sixty dead. The Crows, whose information and warnings should have been followed more often than they were, stated that there were 150 killed and 300 wounded, half of whom had mortal injuries.

Captain Ten Eyck was finally able to load the bodies of Fetterman and Brown and those of forty-seven enlisted men into his conveyances. He arrived at the fort after dark without the loss of a man. The next day Carrington headed the detail that brought Grummond and the last of the men into the fort. All of the bodies were recovered.

The enlisted men were buried in a common trench, together with the four civilians, as soon as the frozen ground could be prepared. The civilians were Wheatley, Fisher and two miners who had somehow got mixed up in the fight. All of the bodies with the exception of Lieutenant Grummond were later reburied in the National Cemetery, Custer Battlefield, June 24, 1896. Grummond's body had earlier been shipped east for burial.

The last paragraph of the Senate document sums up the situation at Fort Kearny far better than all of the accusations made about Fetterman and his character: "The difficulty, in a 'nutshell,' was that the commanding officer of the district was furnished no more troops or supplies for this state of war than had been provided and furnished him for a state of profound peace."

Mark of the Cowboy

(Continued from page 15)

their dollars gladly.

They wrote to Stetson, detailing the many uses for the hats. They told of carrying oats or corn to their horses and water for both themselves and their animals. One Texas Ranger, caught in a forest fire, buried himself in the ground, covering his exposed face with his Stetson. The hat got charred but his life was saved.

It was handy for fanning a campfire to life, for slapping mean steers in the face and whipping up a stubborn or reluctant horse. It even made a good stop-gap when windows were broken, and a good target for gun practice. "You can put twenty bullet holes in a Stetson," one elated man wrote, "and it won't ravel a bit."

Then, on Saturdays, it could be brushed and cleaned and worn with a cocky air to the dance. Worth the money? Men later bragged that they had worn the same Stetson twenty and thirty years. "It'll take on weight, and get so you can smell it thirty feet away on the prairie, but it won't wear out," they wrote John B.

Many cowmen handed down prized Stetsons to their sons. If the hats had a bullet hole or two, so much the better. They made good conversation pieces.

By 1906 the Stetson factory in Philadelphia was turning out hats in the hundreds of thousands, hitting a peak of over 4,000,000 in one year. John B. Stetson, then seventy-six and wealthy, passed on. The hat today is basically the same that he turned out in 1865. Saddles have changed, and boots and methods of ranching, but the Stetson is still the same "Boss of the Plains."

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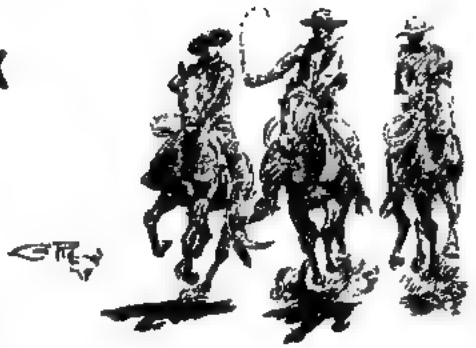
WESTERN BOOK ROUNDUP

By The Old Bookaroos



THE REAL COWBOYS

The life of the cowboy has been so badly distorted lately that we welcome the honest treatment given the subject in the extraordinary new book, *Cowboys and Cattle Country* (American Heritage Junior Library, $3.95), written by Don Ward with an introduction by Old Bookaroo Jeff C. Dykes, consultant. Although produced for the juvenile trade, this clearly written and lavishly illustrated volume will appeal equally to grownups. The unique cow country photographs and the handsome Russell, Remington and Seltzer illustrations are more than worth the cost.

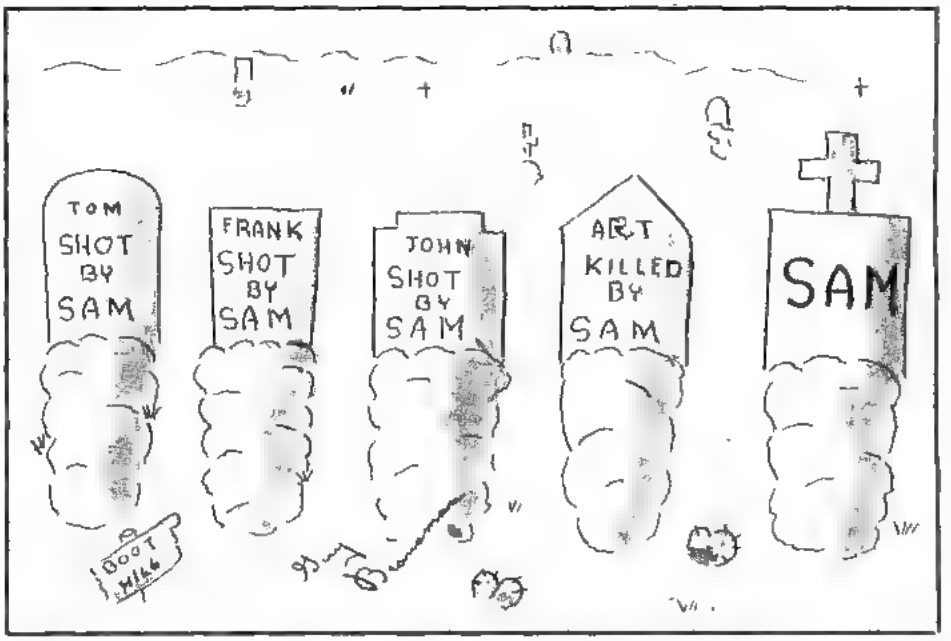
The cowboy of the last third of the nineteenth century became the American folk-hero. His life and work has been thoroughly mangled by most of the fiction writers whose tawdry tales have furnished endless galleys of copy to radio and TV exploiters. These mediums too often picture the cowboy as a prankish adolescent horseman who either engaged in the benevolent murder of badmen or practiced honorable robbery to help widows and orphans.

Don Ward portrays the true-to-life cowpuncher as a hired man on horseback who worked cattle early and late and seldom had time for skylarking in town. There was little glamour in his everyday job of trailing cattle, breaking broncs, risking his neck as his pony dodged dog holes in front of a stampeding herd, freezing in winter or roasting in summer. Cowboys seldom bathed, and they slept in smelly suggans that often were soaked in rain or snow. Few could sing and they wouldn't have been caught dead in the dudish togs worn by many modern theatrical cowboys.

This down-to-earth book should be in popular demand everywhere because of its admirable treatment of the subject under the wide-ranging conditions that exist in the Great Plains and the West. Historical data and dates of trail movements are quite accurate except for the statement that Coronado brought the first cattle into the present boundary of the United States. Actually, this honor must be shared with Ponce de Leon who unloaded cattle in Florida in 1821, the same year that de Villalobos landed the first bovines on the Mexican mainland. Also the word Longhorn should be spelled with a capital "L," as this is a breed as distinctive as Shorthorn or Hereford. A few of the color plates are not up to par. These are all minor defects in a worthwhile book.

AND THEIR REAL BOSSES

Lewis Atherton's *The Cattle Kings* (Indiana University Press, $6.95) is a scholarly dissertation on the development of cattle ranching as a business. The title seems to be misleading—this is not a mug book or a collection of biographical sketches of the big cowmen. At the same time, while the term "king" has been applied in the past by certain writers to such big cowmen as Henry Miller of California, Sir Sydney Kidman of Australia, Ben Snipes of Washington and Pierre Wibaux of the Dakotas, it has no standing whatsoever among range folks. The contributions of the kings, i. e., the big cowmen such as Charles Goodnight, John W. Iliff, Richard King and Murdo MacKenzie to the settling, stabilizing and civilizing of the West is the main theme of this book. Financing the growing industry, stock companies and partnerships receive considerable attention. Despite the fact that there isn't much



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new in this book, the author's research into numerous written records and his ability to appraise and summarize them interestingly make this a worthwhile study. A good bibliography, notes, index and some fine photographs add to its value.

Richmond P. Hobson, Jr., was one of the discoverers and developers of the last grassland frontier on this continent. In this, his third book, *The Rancher Takes a Wife* (Lippincott, $4.95), he continues the story he started in *Grass Beyond the Mountains* (1953) and *Nothing Too Good for a Cowboy* (1955) of modern day ranch pioneering beyond the mountains in British Columbia.

DICKENS IN THE COW COUNTRY

Author-lawyer Marshall Formby has written a panoramic history of Dickens County, Texas, his home country where the Cap Rock meets the Rolling Red Plains. *These Are My People* (Naylor, $4.50) is full of nostalgic reminiscences about the settlers who ran out the Comanches, prairie-dogs and rattlesnakes and built their adobe town in a wide place on an Indian trail.

There's a good deal of historical tattle on cattle, particularly on the Matador and Spur ranches. Chapters are spiced with recipes for cow camp cookery, the lead item being son-of-a-gun stew.

EXCITING HISTORICAL NOVEL

Once in a while someone breaks through the sound barrier with a meaty western novel. A. Kinney Griffith just did it with *The Big Scalp Hunter* (The William-Frederick Press, $4.95). Even TRUE WEST is setting aside a long-established ban on fiction reviews for this one.

After the Tejanos knocked out Santa Anna and settled the Mexican issue, men had time to work on the Apache raiders who terrorized the Southwest. Apache scalps brought a Mexican bounty and many ex-soldiers and ex-hide hunters made a grisly living on the border scalping Apaches for pesos. Romance never flickered and flourished in a wilder environment than the love affair between a Mexican governor's daughter and a frisky Irish-American friend of Cochise and sworn enemy of The Big One, ring leader of the scalp hunters.

The author has style and imagination and through the medium of both he exploits the rare flavor of the early Southwest. The story is based on historical events giving it the reality which is so rare in many current outdoor romances. People and events are brought into focus with the period and the brilliant description of the arid Indian country and native customs helps put this book in the top bracket. There's also an excellent glossary of Mexican and Indian words used to spice up the narrative.

WINTER WARFARE

The Reynolds Campaign on Powder River (University of Oklahoma Press, $5) by J. W. Vaughn is a historical account of the attack on a Cheyenne village on Powder River by Col. Joseph J. Reynolds, March 17, 1876. Although not a major battle, the engagement was one of the actions that marked the start of a decisive U. S. military campaign to chastise hostile Sioux and Cheyennes and corral them on reservations.

Reynolds' troops were part of a large command under General George Crook sent to engage the enemy in a deadly winter campaign when Indian ponies were weak from winter starvation. Mounted on grain-fed horses, cavalrymen began rooting hostile Indians from winter encampments.

Reynolds' forces surprised some Cheyennes in their village, hazed them out of their lodges, burned tepees, food, blankets and clothing and made off with most of the Indian ponies. Two U. S. troopers were killed before Reynolds withdrew his men into a cold camp on a high plateau. During the night the Indians recovered their horses from guards too cold and weary to know they had been robbed.

Reynolds, court-martialed and sentenced on several counts for negligence, was to be suspended from rank and command for one year. President Grant countermanded the sentence because of Reynolds' long and faithful service.

J. W. Vaughn has written a masterful reconstruction of the battle scene from on-site studies and from army records of statements made by officers and men who participated. He believes Reynolds acted as wisely as possible under the circumstances of battle and generally clears him of guilt.

An appendix includes pertinent testimony of officers, troopers and chief scout Frank Grouard. There are several clear photographs of military scenes and Indian chiefs. Also included are two illustrations by Remington and one by Schreyvogel. This is an excellent post mortem of the Reynolds campaign.

THE WAY OF THE HOPI

The human race could learn a lot about living from the Hopis who, though humiliated by overpowering Indians and whites for hundreds of years, have evolved a peaceful, self-sufficient social economy.

Willoughby F. Senior's *Smoke Upon the Winds* (Sage Books, $3.50) is not fiction but emanates from the author's personal journeys by foot, Indian pony and burro in the fiery desert and the lofty mesa villages of the Hopi's desert kingdom.

This is reflective treatment about a misunderstood race that will be of interest to students of sociology and Indians.

AND SOME POTS OF GOLD!

Jesse Ed Rascoe's *Western Treasures Lost and Found* (Frontier, $2) is a pamphlet of well over a hundred pages loaded with the legends of lost mines, buried treasure, and robber caches. In addition, the author bolsters his thesis that many treasures will eventually be found with newspaper accounts of the hidden wealth that has been recovered. Arizona and New Mexico are the favorite states for lost mines and strangely enough, for caching gold and other valuables. But the other western states have their share of forgotten or lost troves from Alaska to Texas. The book ends with a few notes on perhaps the biggest cache of all —$600,000,000 in Spanish gold buried on an island off San Salvador. If you yearn to do a little treasure hunting, this is the book for you.

SOUTH OF THE BORDER

For jaded people looking for a spicy spa in which to rejuvenate flagging spirits we recommend *Bahia-Ensenada and Its Bay* (Westernlore Press, $5.50) by Thaddeus R. T. Brenton. After a short drive over a paved road below

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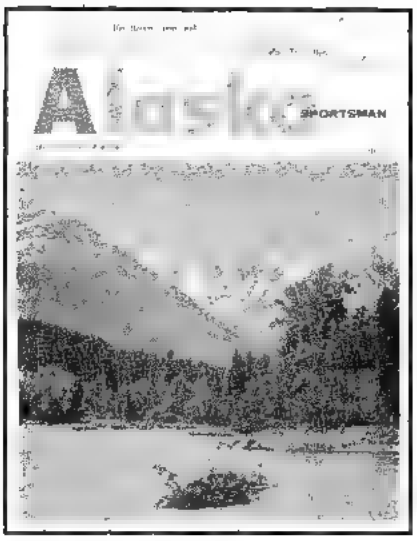

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"I started to write *Bahia*," the author says, "because soon after retiring and taking up residence in Mexico, I found history, people and daily life there so vivid and charming (albeit at times baffling) that I could no more avoid my notebook than a painter could bypass his canvas among the myriad panoramas of that land."

This book of sparkling folksy comedy is full of beguiling chapter titles, such as, Dia de los Muertos, The Conquistadores, The Town, De mi Recamara, The Revolution, Our Lady of Guadalupe, Cosas Preciosas, and Rose and My Love.

The author uses a pleasant style, and unrolls some regional Americana that is truly *magnifico*.

MUSIC IN THE BLACK HILLS

The Family Band (University of Nebraska Press, $4.50) by Laura Bower Van Nuys is a folksy history of a musically inclined family who homesteaded in Custer County, South Dakota, and helped civilize a pioneer neighborhood composed of wild Sioux, white settlers and rusty gold miners. The book was written by one of the younger members of the prolific Bower family who tells friendly gossipy stories about the courtships, marriages, births, funerals and social events in and around Hermosa, South Dakota, where she grew up amid a host of kinfolk.

Used to slim pickings and grinding toil, the Bowers thrived, multiplied and provided many of the teachers who taught pioneer neighbor kids the three R's and music. Learning music and playing instruments came easy to this gifted family. Later their well-known band entertained at all manner of Black Hills sociables, fairs and educational meetings. Members of the clan were charitable, religious people who helped build sound social foundations in western South Dakota. One sister married the editor of the pioneering *Rapid City Journal*, still in existence. The men were provident ranchers who initiated irrigation. Several of the girls became leaders in important local civic and educational affairs. The book has a charming style and is solid family reading.

CALIFORNIA BIB

California Imprints, 1833-1862 (Talisman Press, $15) edited by Robert Greenwood is the most comprehensive bibliography so far of published work on California from the beginning of printing in Hispanic California through the year 1862. There are over 2,000 imprints recorded, many with descriptive notations, and copies located in over 360 United States libraries.

The term, imprint, as used here refers to place of printing. Insofar as possible, this bibliography records all the known imprints of various presses in early California. The objective of this book differs from subject matter bibliographies where the purpose is to record printed matter relating to a given topic. Therefore, this grandiose bibliography of over 500 pages presents many items on diverse subjects and text not previously included in works relating to California and the West.

Although of great coverage, this volume does not present a complete listing of early California press production. Many imprints have been lost or destroyed and many more are yet unknown to bibliographers. The comparative rarity of early California imprints is generally little known. Many presented here are unique copies and it is doubtful if duplicates will be found.

Some of the obscure titles recorded for the first time are as follows: *The Territorial Government of California; The San Francisco Vigilance Committee of* 1851-1856; *The Outbreak of the Civil War and Preservation of the Union; Gold Strikes in the Pacific Northwest; The Formation of Nevada Territory and the Silver Strike in Washoe*; and numerous California directories, town and county histories, almanacs, land claim litigations and many others.

Also, there are 40 facsimile title-pages, a list of books registered for copyright in California 1851-1862, California "ghost books," and a list of printers and publishers in California, 1833-1862. Western collectors and libraries will have to hurry for this choice one before the 750 printed copies move into the rare book trade.

Cliff Rasmussen

A Town Just Big Enough For One

(Continued from page 28)

She told me she "never knew what to make of that man Ote and he never knew what to make of me." One of her reasons for leaving, she said half-humorously (but only half), was that she "didn't want to be there alone with one man and twenty-nine cats," an obvious reference to Ford and his feline menagerie.

Although the school and last major store closed in 1951, the two-by-four city hall is abandoned, the post office was taken away five or six years ago and all substantial mining activity has long since ceased, Ote Ford and his twenty-nine cats don't seem to mind very much.

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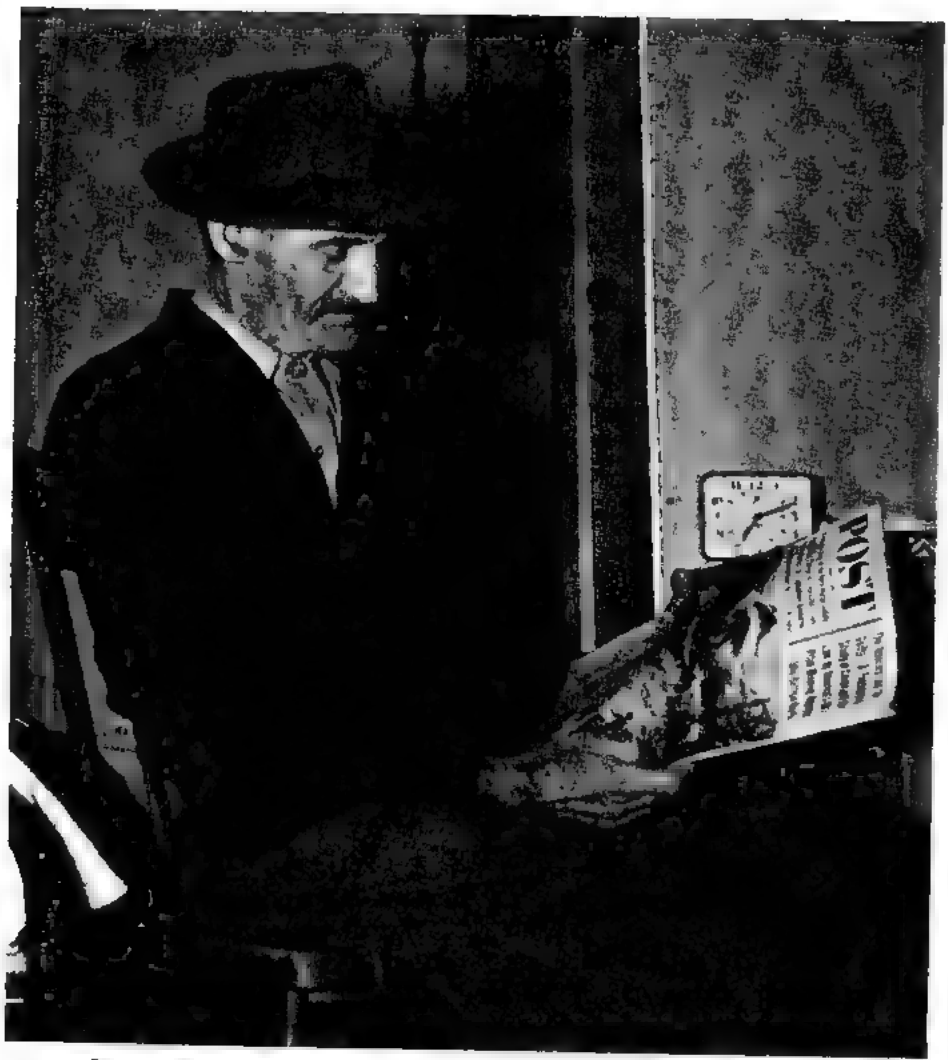

Above, Albert J. Perard. Below, these eight former business buildings are all that remain along Main Street of Ote Ford's ghost town.

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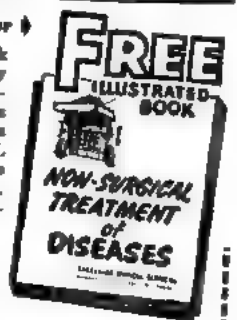

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Wild Old Days

(Continued from page 41)

The Dalles—where he met the top gamblers, thieves and robbers of the day—Vaughn set out on his own hook to test the worth of his meticulous training.

Only eighteen years old, he went to Canyon City, a mining camp on the John Day River, where he engaged in his first gun battle. Despite his youth and obvious lack of experience, Hank emerged the victor and entered fully upon his professional career.

In the spring of 1865, Hank and his partner, Dan Burns, rounded up a splendid herd of horses in the Blue Mountains—without the knowledge or consent of the owner—and headed them toward a ready market in Idaho. They were pursued, however, by Frank Maddock, sheriff of Umatilla County, and his deputy, O. J. Hart. The officers found the two thieves asleep in their camp on Burnt River near the Express ranch. It was quietly agreed upon in the darkness that the deputy would grab the boy, while the sheriff took care of the man. Maddock and his deputy walked up noiselessly, yanked the blankets off the sleeping pair and told them to surrender. Instead, Vaughn and Burns leaped to their feet, pistols blazing. The officers returned the fire.

The deputy and Burns were instantly killed. The "boy" then turned his gun on Maddock and plugged him in the head. As the sheriff fell, he shot and slightly wounded Vaughn. Hank, figuring a posse was close by, climbed on his horse and rode away. Shortly thereafter he was overtaken by a posse and taken to jail at Auburn. He was convicted and sentenced to life imprisonment, but served only eight years.

After a brief sojourn in Nevada, where he followed blacksmithing, a trade he learned while in prison, Vaughn was next heard of in Boise, Idaho. He accumulated a large herd of horses and took them into eastern Oregon, settling in Athena. In those days Athena had more saloons than any other village of its size in the country.

It was a favorite diversion with Vaughn to ride to town, gallop his horse into a saloon, ride up to the bar for a drink and repeat the act until every saloon had been visited. He would then put on an exhibition of shooting and riding up and down the main drag.

Vaughn was a small, wiry man, quiet and unassuming—when not putting on a show. He always wore a long black coat, giving him the appearance of a minister. The coat added to his dignity and also covered his artillery.

Hank was a one-handed shooter until an adversary broke his right wrist with a bullet meant for his heart. While the arm was healing, he practiced with his left hand and soon became ambidextrous in the use of pistols.

HANK WAS ONE badman who actually went out of his way looking for trouble, not in a spirit of spite or envy but purely in quest of a foe worthy of his steel. When he got wind of the exploits of Charley Lang, who operated in far-off Prineville, Hank saddled his best horse and rode alone over the 200-mile trail to the lair of his rival. After a brief and courteous exchange of greetings the two men had a drink and sat down to a game of seven-up.

Presently Lang leaned over, pinned Hank's chaps to the floor with his Bowie knife, and remarked, "Hank, you'd make a good cannoneer in hell." Vaughn responded with an unprintable remark and stuck his Bowie knife through Charley's chaps. Two pistols roared and both men fell, unconscious. They were picked up and put to bed in the same room by spectators.

Prineville awoke next morning to the unhappy news that both contestants were still alive and likely to recover. Hank was the first to regain consciousness. Seeing his recent adversary still alive, he cheerfully observed, "Charley, they oughtn't to waste two beds on a couple of damn fools like us. Lay over." With this remark, Hank wobbled across the room and crawled into bed with his shooting mate. The two became warm friends.

A few years later, however, when Lang passed through Athena, Hank declined to greet him, remarking dryly, "'I seen him once."

In 1893, Vaughn made his last ride on Main Street in Pendleton. Full of corn whiskey and mounted on his best horse, he dashed onto the new concrete street. His horse slipped and Hank cracked his skull on a telephone pole. His body disclosed thirteen bullet wounds.

HOW TO ENJOY A DANCE

By GEORGE PHILLIPS

YOU OFTEN hear of the lone bandit but you seldom hear of the lone cowboy. They usually traveled in pairs, especially the bronc busters. They'd often pool their finances so one of them could bet on a horse race or get in a poker game. If one had money, they both had money, and if one was broke you could bet your bottom dollar they were both flat.

Often you'd see a long, tall, gangling peeper and a sawed-off runt, as different mentally and morally as they were physically, team together. In the spring and summer they'd go from ranch to ranch breaking horses. When that kind of work was scarce or out of season they'd either ride chuck line or hunt jobs with the roundups.

If an outfit needed only one man, nothing doing, both had to have jobs together or they'd travel on. If one got into trouble they were both into it up to their necks regardless of right or wrong. These old cowboys would pal up "till death do us part" or until a girl "throwed her loop" on one of 'em, and that was worse than death to the one that was left.

Such a pair of pals used to inhabit (or infest, as the case may be) our country down on the Rio Grande. Old Slim was about six-feet-two-inches and Shorty about five-feet in his socks (if he wore such things). Once in a great while they would attend a dance. Slim didn't dance and Shorty couldn't, for in just a short time he would become paralyzed on hooch and find a vacant chair against the wall and there he'd sit and quietly dangle his feet, keeping time to the music and humming a little tune.

On one occasion, Shorty got filled to the gills and located himself a comfortable seat in a corner of the hall and Slim coiled his six-feet-two on the floor alongside his pal. Both were enjoying the affair to the utmost in spite of the various and sundry fights that were being pulled off outside. It seemed that a big husky, the bully of the community, had gotten hold of some fighting whiskey and was matching one fight after another.

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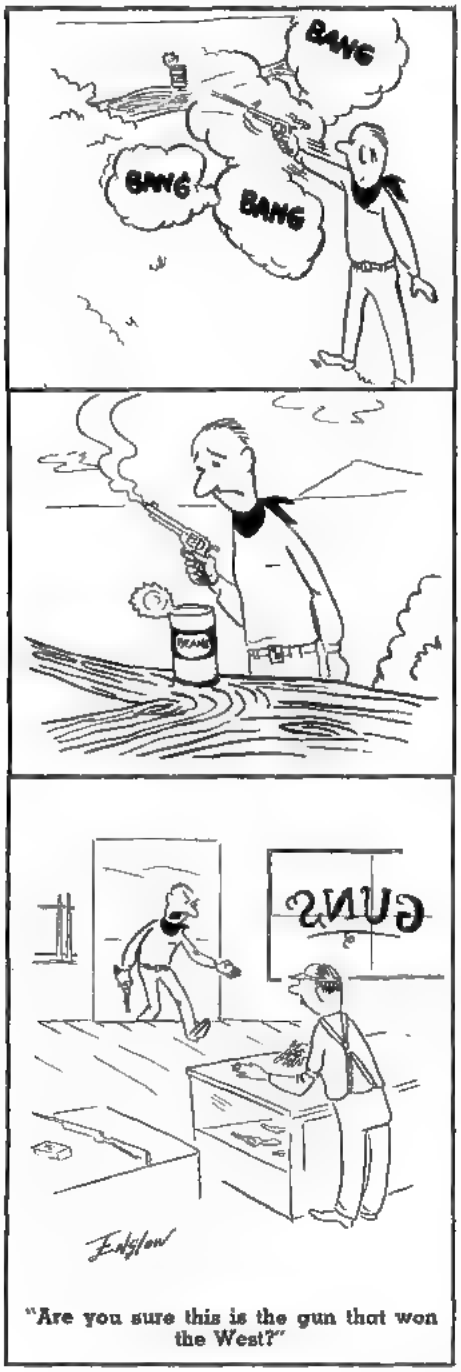
After whipping several on the outside and intimidating the balance of the crowd, he decided he'd kinda clean up any irresponsible persons on the inside. He was pretty well soused and also flushed with victory. He staggered up in front of Shorty and said, "What in hell you patting your feet for? Pipe down or I'll twist your nose!" Shorty didn't realize that he was being spoken to; besides, his vision was so impaired with booze he couldn't much see past his nose,



"Are you sure this is the gun that won the West?"

so he didn't reply, just continued to pat his foot and hum his little tune.

That enraged the cock-of-the-walk more than if Shorty had replied, so he said, "I'll twist your nose and drag you outta here, you little dried-up shrimp." When he reached out to make good his boast, old Slim shot that fist of his up like the strike of a rattler and connected on the point of the bully's chin. He lit in the middle of the floor flat on his back. Such things being common occurrences, the dancers just danced around him.

Slim coiled himself back in his corner and Shorty continued patting and humming his toodle-do and toodle-dum. When the bully came to, he got up and shook his head like a catfish in muddy water and walked up in front of Shorty with wonderment on his face and stared at him until he attracted Shorty's attention. Shorty said to him, "G'wan now, big boy or I'll knock you down ag'in—tweedle-de-de tweedle-dum—." There was no further interruption of festivities.

THE SHERIFF CAME LATE

By BRYCE W. ANDERSON

"CAPTAIN" TOM BELL achieved one distinction in his short and desperate life: he was the first to try to rob a gold-bearing stage in gold-rush California and for at least a year he and his gang held the Mother Lode country in a reign of terror.

The stage robbery end of Bell's career was an utter failure. He picked the right stage to rob: it had $100,000 in gold dust aboard. But he didn't get the gold.

However, the man who was to become a legendary Robin Hood of early-day California was more successful in his other illegal enterprises—successful, at least, until October 4, 1856, when he passed a stranger on the road. That proved a fatal mistake.

Tom Bell, whose real name was Thomas Hodges, was an educated highwayman. Although he had no right to his assumed title of "captain"—except as a captain of an outlaw band—he could, if he wished, have signed "Dr." in front of his name. He graduated just in time to join the Tennessee Volunteers for the war with Mexico, serving as a non-commissioned medic.

After his term with the Volunteers, he drifted to California. He next appeared in 1855 (as Tom Bell) when he was arrested for cattle theft in Auburn and sentenced to prison on Angel Island, in San Francisco Bay.

Bell's stay in prison was short. He escaped (the manner by which he did so is a matter of historical dispute) and teamed up with Will Gristy, whom he had met in prison, to organize an outlaw band and hit the owlhoot trail.

Suddenly the six-foot one-inch doctor, whose chief distinguishing characteristic was a thoroughly smashed nose, seemed to be everywhere in the gold country. Whenever there was a hold-up or a bit of rustling the word got out that "Tom Bell did it"—passed often, it seems, by members of his own gang to confuse the authorities. He was sometimes reported staging two hold-ups in a single day 100 miles apart.

Among his more sensational exploits were the hold-up—with two other men—of a mule train of Langton's Pioneer Express in July, 1855, in which $3,000 and the mules were stolen and the hold-up of a gold-bearing mule train, this time with a gang of five, in March, 1856, which netted $26,000—plus the mules.

THEN CAME Bell's greatest bid. With five others, he attempted to waylay the stage from Camptonville, carrying $100,000 in gold, at the Dry Creek Ford in the Sierras.

The timing of Bell's gang went awry and only three men reached the stage at the same time. Bill Dobson, the "shotgun messenger" guarding the gold, opened fire. The bandits fired a broadside that killed a Mrs. Tilghman, a passenger in

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the stage, and wounded two male passengers and the driver, John Gear. But the stage escaped.

The manhunt for Bell and his gang intensified after that. They held up various chance travelers until Gristy was captured and revealed the hiding place of his captain. It was, he related, a little ranch near Firebaugh's Ferry, far south of the usual scenes of Bell's depredations.

There, on September 29, 1856, rode two posses, one led by the local sheriff and the other by Judge Belt from Knight's Ferry.

Bell had flown. For five days, both posses "held sack." Then both moved out, the sheriff's party first.

One man, Robert Price of the second party, rode out by a different route. As Price started away, he saw a lone rider heading toward the little ranch.

They passed in view of each other—the two men riding alone. The one who rode toward the ranch was a tall man with a smashed nose. He ignored the other rider. And as soon as he was out of sight, Robert Price put spurs to his mount and cut toward the other road.

He returned with Judge Belt and another posse-man. As the three rode up, Tom Bell was seated astride his horse, conversing with a Mexican, his guns holstered.

The desperado was captured without the firing of a shot.

They took him to Firebaugh's Ferry where Judge Belt (who seems to have cared little for the law, despite his title), decided it would be best not to wait for the sheriff. A convenient tree was found and a noose was fashioned. At four p.m., October 4, Tom Bell's horse was driven out from under him, leaving him suspended by the neck.

The sheriff, riding hard on the back trail, arrived eight minutes too late to prevent the hanging.

John Brown's Vengeance

(Continued from page 43)

Wilkinson begged him to stay with her, but he declined saying "they" would not let him do so. As though to reassure her, he said her husband was a prisoner of war and would be taken to camp.

BROWN NEXT LED his party to a one-room cabin occupied by James Harris, who worked for the Shermans. Frederick Brown, Theodore Weiner and James Townsley were left outside as guards while Brown, his other sons, and Henry Thompson went inside. Harris, like Mrs. Doyle and Mrs. Wilkinson, made a statement to Congressman Oliver. Apparently the Browns had become weary of delays in gaining entrance to the homes of their victims: Harris said they came into the cabin where he, his wife and child, William Sherman, John S. Whiteman, and Jerome Glanville were in bed. The attackers were armed, he said, with revolvers and sabres.

Since the "army" dodge had worked twice, Brown used it again. The four men, outnumbered, agreed to surrender. A search for arms produced two rifles and a bowie knife.

While this was going on, Glanville was taken outside, questioned, and brought back. Harris was next. He was asked about his sentiments and activities, and taken back. Apparently Whiteman was not questioned at all.

William Sherman, who was known to the Browns, was taken out last. They did not need to question him. He was led

Sheriff Campbell who hanged John Brown.

into the ford of Pottawatomie Creek where Henry Thompson cleaved his head twice, slashed his breast, and almost cut off one of his hands. They left his body lying in the water where it fell.

When Sherman was taken away, Salmon Brown and one of his brothers were left in the cabin to guard Harris, Whiteman and Glanville. Salmon compelled Harris to saddle a fine grey stallion belonging to Dutch Henry Sherman and hold the stirrup while he mounted. He later said he traded the animal for two Missouri race horses.

After the killing of Sherman at the ford, the members of the party carefully washed their broadswords and headed back to camp. Townsley said he did not wash his weapon because he had done nothing with it except kill Wilkinson's dog. Upon reaching camp, they went to bed and slept soundly until noon. Then they left the stricken community with the self-righteous conviction that what they had done was wholly justifiable.

WHY DID John Brown and his sons deliberately, and in cold blood, slay five of their neighbors? Guerrilla warfare between the pro-slavery and free-state settlers in the Territory had been raging for almost a year-and-a-half. Both factions were aided and abetted by sympathizers outside the country and each was grimly bent upon subduing the other or driving it out. Blood had been shed by both and the lust to kill mounted day by day. As a result, incredible anarchy reigned supreme.

This state of affairs was part and parcel of the larger, but nonetheless bitter, controversy over slavery which gripped the whole nation. Locally, it was also the result of an election held to choose a territorial legislature, in which less than 1,000 settlers and 5,000 Missourians voted. The free-state faction repudiated the election, swore they would not obey laws enacted by it, set up a rump governor, legislature, and constitution.

The two attacks upon Lawrence in December, 1855, and May, 1856, were the result of attempts to enforce what the free-state people called "bogus laws." The situation was such that, compromise being impossible, force and violence were the only resort.

Part of the answer to why these crimes were committed also lay within the heart, soul, and mind of John Brown

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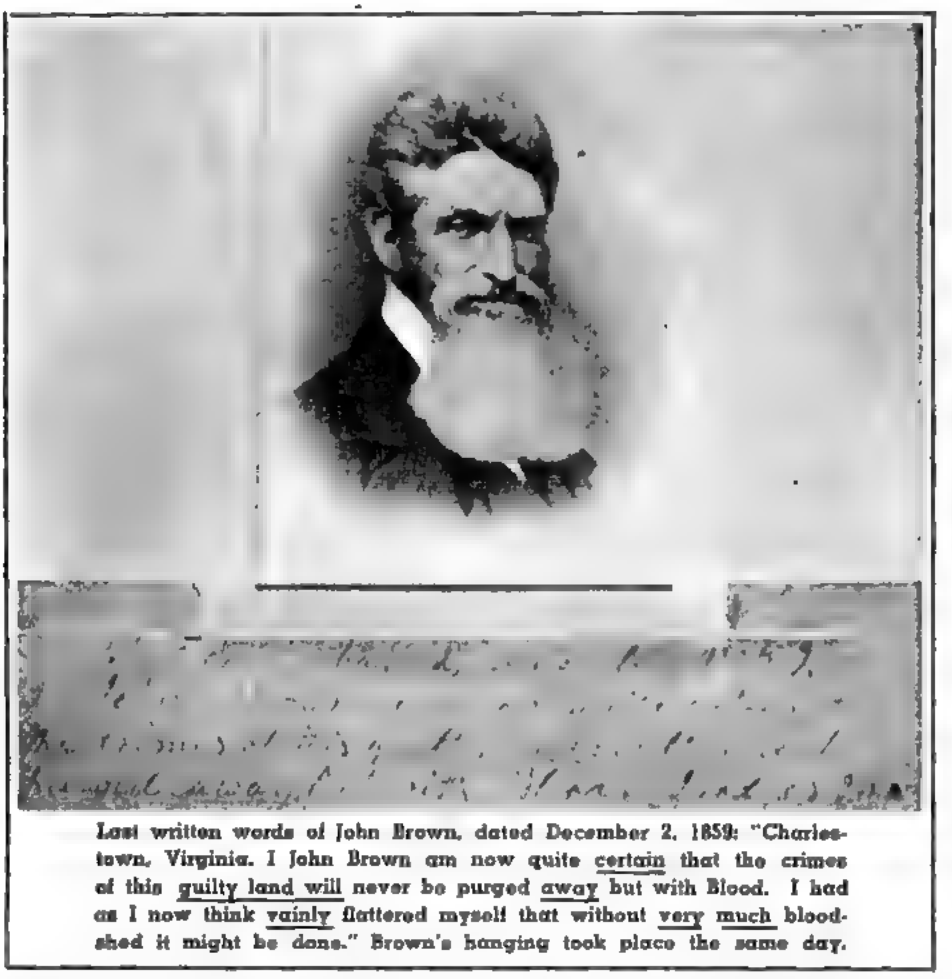


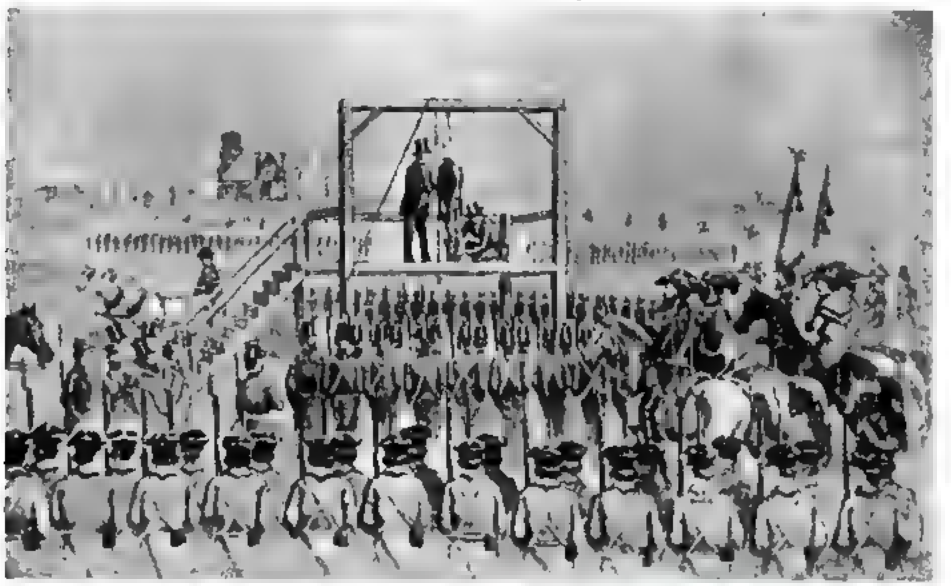
Last written words of John Brown, dated December 2, 1859: "Charlestown, Virginia. I John Brown am now quite certain that the crimes of this guilty land will never be purged away but with Blood. I had as I now think vainly flattered myself that without very much bloodshed it might be done." Brown's hanging took place the same day.

himself. Eighteen years before, in 1838, he called his family together, informed them of his call to actively crusade against slavery, then knelt in prayer for Divine aid in carrying out his stern resolution.

His interest in Kansas was two-fold. His four sons located claims near Osawatomie early in 1855. Rabid abolitionists, they quickly got into trouble. John, Jr., a member of the rump legislature, wrote his father in the fall of 1855 to come to Kansas at once with all the guns he could carry. Brown welcomed this call and opportunity to join battle with the "slave hounds," as he called slave owners, and hurried westward with his son-in-law, Henry Thompson. He came to wage war, not to stake a claim and make a home.

The "Pottawatomie Massacre," as it is known in Kansas history, sparked a controversy which lingers to this day. Some three years after the crimes, Brown left Kansas forever. After that came Harper's Ferry and the hangman's rope at Charlestown (now in West Virginia), December 2, 1859.

David Strother's sketch of the hanging of John Brown.



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Company of the Fifth U. S. Infantry in camp at Fort Keogh, Montana, 1878.

Cheyenne Incident

(Continued from page 38)

trolled the excited Indians and overrode the desires of the younger braves for making further trouble.

Immediate danger of interference by the Indians having been forestalled, the local white settlers left the posse and returned to their homes. The F U F riders, not wishing to travel the slow pace required by the wagon, departed for their headquarters' ranch on Armells Creek south of Forsyth. The expeditionary force, now reduced to six men, traveled down the Rosebud all that day, escorting the thirteen prisoners who rode in the wagon. That evening they stopped at a ranch to rest the horses and to obtain food.

There they were informed that threats had been made by some white people to waylay the party and shoot down every Indian prisoner. As the Cheyennes had surrendered in good faith and were unarmed, the posse passed out word that in the event such an attack took place the bullets would not all be flying in one direction.

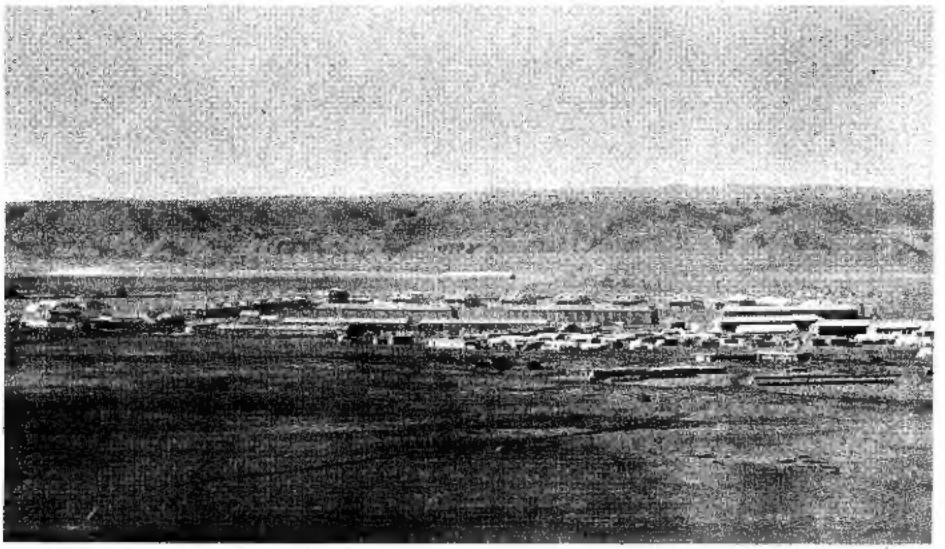
EARLY THE next morning the little party arrived at Rosebud station on the Northern Pacific Railroad line and boarded a train for Miles City.

The Indians were delivered to Major Logan, commanding officer at Fort Keogh. The major demanded to know what had happened to the real culprit—Sawney Taliaferro.

"I reckon he is about halfway to the Rio Grande by this time," Billy Smith smiled and the major became even more incensed. The posse had learned that Sawney, mounted on his boss' prize cutting horse, had ridden away for parts unknown. Another reason for the major's irritability might have been his chagrin that the posse had ridden 100 miles to the head of the Rosebud and returned to Fort Keogh with the Indian prisoners while his two troops of cavalry, dragging a cannon with them, had progressed only forty miles on their way to the scene of the trouble.

While the Indians were awaiting trial, "Teddy Blue" Abbott, a F U F cowboy, became quite friendly with one of them. This Indian, Pine, whom Abbott had contrived to keep supplied with tobacco and candy, presented his benefactor with a silver ring embossed with a shield. On the shield was inscribed, "C Co 7 Cav." Captain Tom Custer's unit at the battle

Cheyenne village.



An old Huffman photo of Fort Keogh.

of the Little Big Horn, eight years before.

During the court hearing one of the Indians rose to his feet and pointed at himself and three other Cheyennes and said that they were the ones who had set fire to the Alderson house. The nine remaining Indians were released and sent back to camp. The four who pleaded guilty were sent to the penitentiary with minimum sentences. One of them died there of homesickness, it was said. The other three were pardoned after serving only a part of the sentences imposed upon them.

By Land and Sea

(Continued from page 39)

again. This time he would make the trip in broad daylight, so that at least no passengers would be frightened by the dark.

The conveyance that Borden wheeled out of the shed resembled any wagon of the day, except that it had a mast in front on which its inventor-driver hoisted a square sail. Thanks to pulleys designed by the inventor, manipulating the sail was simple—"as easy as eating," in Borden's words. Once the wheels were in the water they doubled as screws.

Borden drove. It was a beautiful afternoon, the crowd was gay, and the inventor was happy as the large sail filled and the vehicle moved down the beach before a strong northeast breeze.

Speed was his object on this second trip, but the pushing gale caused his machine to exceed even his expectations. An idea began to thrust itself forward. With the trip proceeding so well, why not try the water now? Under full sail and without warning his riders, he drove the contraption into the Gulf. The very suddenness of his move caused an instant's utter astonishment; then everyone started scrambling.

"Sit still!" yelled Borden.

"Still, sit still!"

As someone let the sail fall, passengers flocked to the landward side, upsetting the boat's balance until it turned slowly over, dumping its human load into the water, not more than fifty feet offshore.

As soon as everyone had decided the water was too shallow for danger, someone thought of Borden.

"Where is he?"

"Drowned, I do most sincerely hope!" came one fervent reply. "He richly deserves it!"

Borden was spied asea, astride the top of his capsized car. When someone inquired whether he could make it ashore, he cried in wrath:

"Don't want to make it! . . . It can't sink. Part of the invention! There was no danger. Why did you make such fools of yourselves? . . . I told you the wheels are screws! . . . The sail would have driven them. Con-sarn you for dropping it!"

Before the trip Borden had said, "If I miss it in one thing, I will hit it in another." With his terraqueous machine he had "missed it." Later, 105 years ago, he was to hit with another idea, condensed milk, but to him it would never be the invention that the wonderful terraqueous machine had been, drowned though he surely should have been.

Truly Western

(Continued from page 5)

about the trip. A Mr. Parrott of Portland read it. The hermit was his brother who he had thought was dead. Mr. Parrott came to Idaho and tried to induce the hermit to come to Oregon and live in style, but the hermit of the Middle Fork did not want any part of civilization.—W. J. Tadlock, Route #2, Riverton, Utah.

Drool, Drivel and Tripe

Gentlemen:

The splendid article "The Things They Do To Sam Colt's Revolvers" by J. M. S. Paul (TRUE WEST, February, 1962) was timely indeed. Yet I fear the innocent soda-jerks who write the stuff we see in movies and TV will not be too much disturbed. They are so far behind in their homework (putting things in their right places in Western history), they will never catch up. What they hand out to the gullible public is truly awful.

Yet the authors of such drool are accepted as authorities on our Frontier Period. Thank God I don't own a TV and therefore cannot be upset too often by the ridiculous stuff they serve. But now and then I see programs at a friend's place that make me grind my molars.

A while back a rugged character on the Wyatt Earp program threatened to give a rough egg with an Elvis Presley

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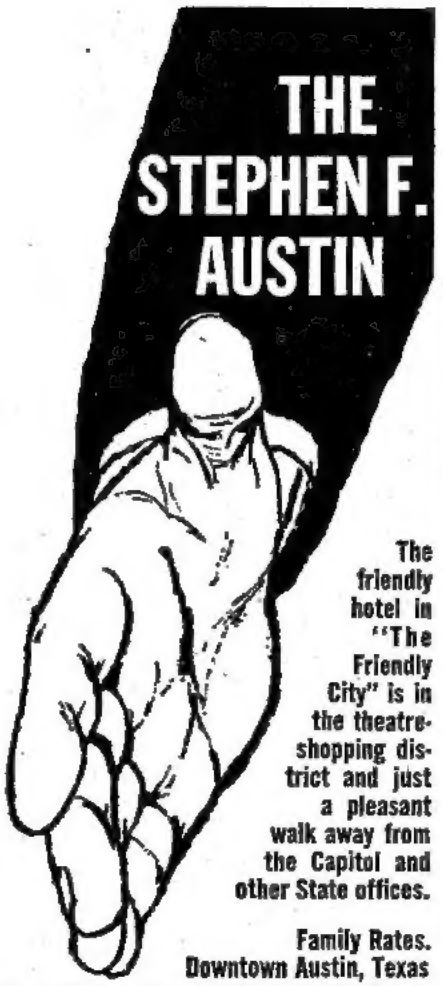

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hairdo a ".30-30 bellyache." Quite apparently the highly paid scriptwriter was unaware that the .30-30 didn't come into being until long after Wyatt had left Tombstone. He could have correctly mentioned a .45-70, .44-40 or Sharps bellyache, but I doubt if he'd ever heard of those guns.

I get a big laugh seeing a TV character poking cartridges into an old-cap-and-ball revolver. He does it in five seconds, then fires eight or ten shots with it. I used to own a pair of .44 Remingtons and know that, with everything handy and while sitting down with my back against an outdoor privy, it always took me about five minutes—on warm days. With cold fingers, it was almost impossible to put the little brass caps on the tiny nipples.

As things go from bad to worse I try to keep a Christian attitude toward the teenage scriptwriters. But I'm warning them—I'm gonna pull the plug the first time I see a cutie from Madam Gay's riding academy in old Dodge frying eggs in an electric skillet!—Lee Strobel, 601 East Andreas Road, Palm Springs, California.

Memaloose Cemetery

Dear Sir:—

A granduncle of mine whose name is Victor Treavitt (or Trevitt) left Covington, Kentucky, in the early '80's, came to California and married an Indian girl (for which his family wept because it made him a "squawman"). I have been notified by a Bonneville Dam employee that he was a bartender in San Francisco and Portland, Oregon, until his death.

He was buried in the old Indian cemetery on Memaloose Island in the Columbia River, now being covered over by the backwaters of a dam. The Indian Agent removed the bones of the Indians who had been interred on platforms (as was the custom) to a mainland Indian cemetery but since Victor Trevitt was not an Indian he was left there. A marble shaft was placed on his grave.

Memaloose Island was and is the loneliest, spookiest place anyone could imagine. Nothing ever grew or lived on it, not even birds or bugs. Several years ago two reporters said they would spend a week there and see what the place was really like. The next day they called for help and came running to the boat scared and shaking. I never knew what they found out.

As I am the only relative, I am allowed to visit the island, courtesy of the U. S. Government, but I'm nearly eighty years old and so won't make the trip. I would like to know, however, if the island and shaft are still visible and if anyone knows what the weird sounds and spooky sights are?

I enjoyed the article in the October issue about a coin and a portrait of a mysterious lady. I also had a coin like that one. I remember when these were made at the Colorado booth of the World's Fair in Chicago and St. Louis.—Ellen M. Hughes, 14333 Albers Street, Van Nuys, California.

Mounted from the Right

Joe,

The picture of the gal on the Appaloosa is a beautiful picture. The Nez Percé, Palouse, Snake River and Spokane Indians mounted their ponies from the right side. When they used the hair rope, it had one line, not two, and they always broke their ponies to knee brake. I was raised in the Palouse Country and knew Chief Joseph when I was a boy. I can still handle six lines although I hold down eighty years come spring grass. I broke my last bronc at seventy and took the Old-Timers Roping Contest at seventy-two. I like your magazines very much.—Dick Boswell, Mariposa, California.

Fair-to-Middlin' Speed

Dear Mr. Small,

Schuyler Colfax wasn't the only passenger on the stagecoach in William Rutledge III's "Lincoln's Last Message" (April TRUE WEST). Near as I can figger, there was a feller named Mercury riding beside him. There must have been if that stagecoach could go 2,200 miles in twenty-two hours and be only fourteen hours ahead of schedule. No chance of that happening today with all the stoplights.—Gordon H. Warren, 1022 South Locust Street, Oxford, Ohio.

Editor's Note: No traffic cops in those days, either, just an occasional Indian. Reader Warren, and the 72,164 other readers (that on the first day after the issue came out; we haven't got to the second day's mail yet) who wrote in about this coach's speed, are correct. The trip was made in twenty-two days. Well, it was one of those devilish mistakes in typing and we're getting a royal joshing.

Spelling Lesson

Dear Sir:

I enjoy the beefs your readers have—to me that helps make the magazines. As for misspellings, in research we often find names spelled various ways. Many old-timers could not read or write, and many who could, spelled by the way a word sounded. Wild Bill Hickok's name, here in Jefferson County, Nebraska, was spelled various ways, from Hiscock to Heycock. David McCanles' name was often spelled McCandless; in fact, his children and grandchildren use both spellings.

We historians have to depend upon old records left by these frontiersmen and pioneers. To me they are the best sources no matter how crudely written, with names and words misspelled.

They had their own way to describe things, like this part of a deed given by David McCanles: " . . . now the condition of the above obligation is sutch that whare as the said D. C. McCanles has sold & conveyed to the said Hinney Brimmar a small parcel of land & a bridge with house & all apertenances begining on a Bur oak on the south bank of Rock Creek marked fore & aft & runs with the chanel of said creek East & South East to a short distine above the bridge & thence up a small gulley to the head of the same & thin south to the sinter East & West line of section 26 Township 2 Range 3 East thence west with said line to a past the begining & thence north to the begining which is near the ford of the crossing of the old Military Road . . . ."

There are still old records stored away in vaults to be found and uncovered. Research and study of old records is gradually bringing to light more facts on our frontiersmen, good and bad. Your publications prove sensationalism is on its way out; folks want facts and desire to know the source for historic findings.

I have watched your progress and achievement from the first issue of TRUE WEST as you have tried so earnestly to live up to the first word of your magazine's title. May we all help you achieve that goal.—Levi Bloyd, 115 West Fourth Street, Fairbury, Nebraska.

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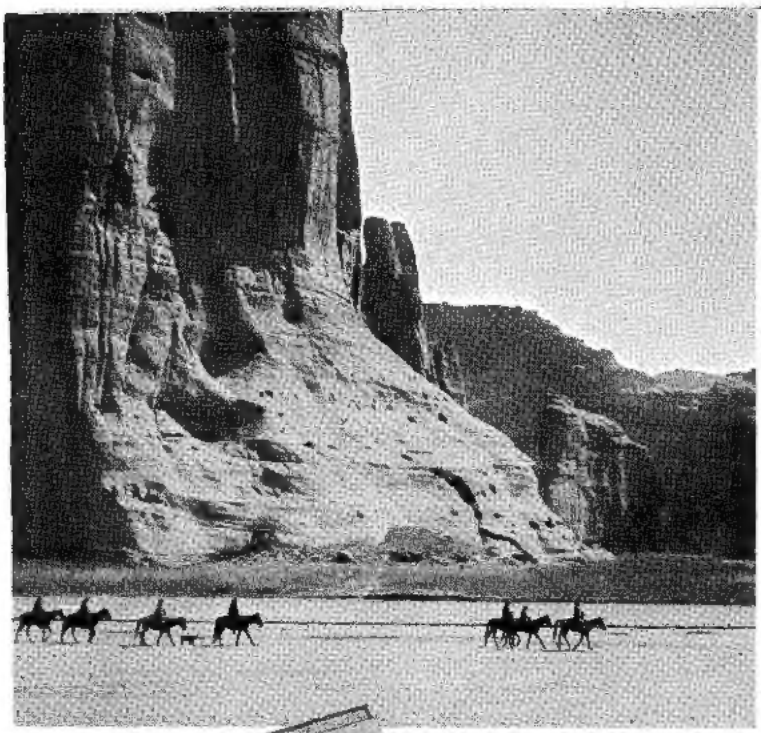
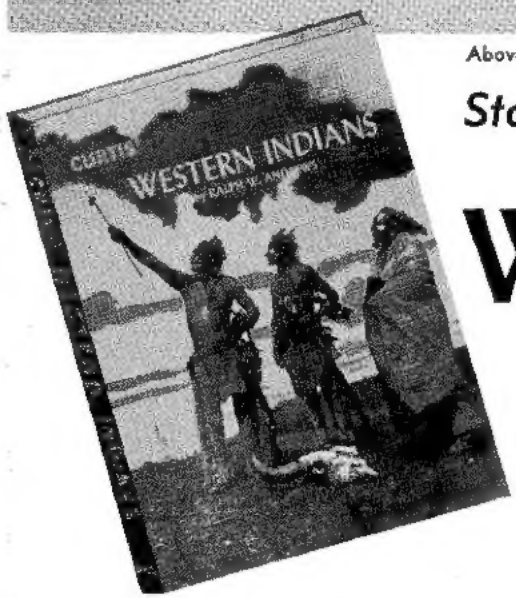


Above, left, Navajo women hunting water in Canon de Chelly. Right, Geronimo, the Apache of the Southwest.



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Below, left, Apsaroke woman of Montana bringing brush to winter fire. Right, Plains Indian in war dress.

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